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 7 STEPHEN D. BUCK, D.D.S.

8
 9 UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
 12 STEPHEN D. BUCK, D.D.S.,
 13 Plaintiff,

14 vs.

15 UNUM LIFE INSURANCE
 16 COMPANY OF AMERICA; UNUM GROUP
 AND DOES 1 THROUGH 10 INCLUSIVE,
 17 Defendants.

Case No.: C-08-5166 MMC
 Honorable Maxine M. Chesney

ORDER RE:

~~PROPOSED~~ JOINT STIPULATION OF
 THE PARTIES

Trial Date: April 19, 2010

18
 19 The parties to the above referenced action, subject to the Court's approval, hereby stipulate
 20 as follows:

21 WHEREAS on February 20, 2009 the Court entered an Order that, "DISPOSITIVE
 22 MOTIONS shall be filed no later than January 15, 2010, and shall be noticed for hearing 35 days
 23 thereafter."

24
 25 WHEREAS Defendants Unum Life Insurance Company of America and Unum Group intend
 26 to file a Motion for Summary Judgment and/or Motion for Summary Adjudication, such motion
 27 currently being due on January 15, 2010 and the hearing date to be set for thirty-five days thereafter,
 28 on February 19, 2010.

1 WHEREAS the parties met and conferred regarding the briefing schedule and the hearing
2 date on this matter. On December 4, 2009, Michael B. Horrow, trial counsel for Plaintiff, informed
3 Defense Counsel that he had a pre-planned vacation and would be unavailable from February 15-19,
4 2010. It was discovered that the hearing date required by the Court would be February 19, 2010
5 thereby conflicting with Mr. Horrow's calendar.
6

7 WHEREAS, pursuant to the Motion for Leave to File Oversized Brief, filed on December 30,
8 2009, Defendant has requested an extension on the 25 page limit pursuant to Local Rule 7-2.
9 Plaintiff does not object to such extension, provided the same extension be granted to the Plaintiff.
10 Defendant does not object to Plaintiff's request.

11 NOW THEREFORE, the parties in the above-referenced action hereby agree, subject to the
12 Court's approval, to modify the schedule as follows:

- 13 1. All dispositive motions, including defendants' motion for summary
14 judgment/adjudication and all supporting papers, shall be filed no later January 22,
15 2010 and shall be noticed for hearing thirty-five days thereafter, on February 26,
16 2010.
17
- 18 2. Pursuant to this Court's Local Rules, Plaintiff's Opposition Brief shall be filed no
19 less than 21 days before the hearing date on February 5, 2010.
20

21 THE PARTIES FURTHER AGREE that, pending this Court's approval, Defendant may file
22 its Motion for Summary Judgment, or in the alternative, for Summary Adjudication of Claims for
23 Relief and Prayer for Damages of not more than 40 pages and that the Plaintiff's Opposition Brief
24 may contain not more than 40 pages.

25 Respectfully submitted,
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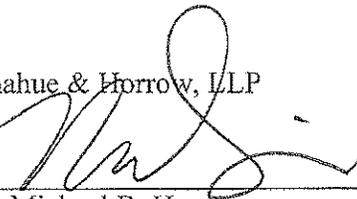
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Dated: December 29, 2009

Donahue & Horrow, LLP

By:



Michael B. Horrow
Nichole D. Podgurski
Attorneys for Plaintiff
STEPHEN D. BUCK, D.D.S.

Dated: December 30, 2009

MESERVE, MUMPER, & HUGHES LLP

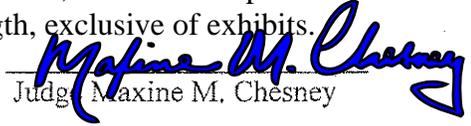
By:



Linda M. Lawson
Sasha Lankarani
Attorneys for Defendants
UNUM LIFE INSURANCE COMPANY OF
AMERICA and UNUM GROUP

PURSUANT TO STIPULATION, IT IS SO ORDERED, with the exception that the motion and opposition thereto shall not exceed 35 pages in length, exclusive of exhibits.

DATED: January 11, 2010



Judge Maxine M. Chesney