

1 Daniel Feinberg – CA State Bar No. 135983  
 2 Nina Wasow – CA State Bar No. 242047  
 3 LEWIS, FEINBERG, LEE, RENAKER & JACKSON, P.C.  
 4 1330 Broadway, Suite 1800  
 5 Oakland, CA 94612  
 6 Telephone: (510) 839-6824  
 7 Facsimile: (510) 839-7839  
 8 Email: dfeinberg@lewisfeinberg.com  
 9 Email: nwasow@lewisfeinberg.com

10 *Attorneys for Plaintiff*

11 Robert J. McKennon – CA State Bar No. 123176  
 12 M. Scott Koller – CA State Bar No. 247161  
 13 BARGER & WOLEN LLP  
 14 19800 MacArthur Boulevard, 8th Floor  
 15 Irvine, CA 92612  
 16 Telephone: (949) 757-2800  
 17 Facsimile: (949) 752-6313

18 *Attorneys for Defendant*

19 IN THE UNITED STATES DISTRICT COURT  
 20 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 21 SAN FRANCISCO DIVISION

|                                     |   |                                    |
|-------------------------------------|---|------------------------------------|
| 17 AILEEN L. ARRIETA,               | ) | Case No. C 09-00033 SC             |
|                                     | ) |                                    |
| 18 Plaintiff,                       | ) | <b>STIPULATION AND [PROPOSED]</b>  |
|                                     | ) | <b>ORDER REGARDING STANDARD OF</b> |
| 19 vs.                              | ) | <b>REVIEW AND DISCOVERY</b>        |
|                                     | ) |                                    |
| 20 WILSON SONSINI GOODRICH & ROSATI | ) |                                    |
| 21 P.C. LONG TERM DISABILITY PLAN,  | ) |                                    |
|                                     | ) |                                    |
| 22 Defendant.                       | ) |                                    |
|                                     | ) |                                    |

23  
 24  
 25 The parties, by and through their counsel of record, hereby stipulate and agree that the *de*  
 26 *novo* standard of review applies to Plaintiff Aileen Arrieta’s claim for long-term disability  
 27 benefits. The parties further stipulate and agree not to conduct discovery beyond the claim  
 28 record, unless the Court instructs a party or the parties to address issues outside the claim record.

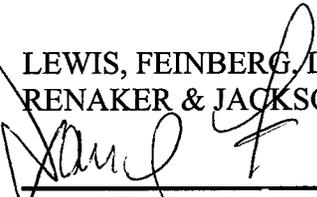
---

STIPULATION & [PROPOSED] ORDER REGARDING  
 STANDARD OF REVIEW AND DISCOVERY

CASE NO. C09-00033 SC

1 It is so stipulated.

2  
3 Dated: April 27, 2009

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
By:   
\_\_\_\_\_  
Daniel Feinberg  
Attorneys for Plaintiff

8 Dated: April 27, 2009

BARGER & WOLIN LLP  
By:   
\_\_\_\_\_  
Robert J. McKennon  
Attorneys for Defendant

14 **[PROPOSED] ORDER**

15 Pursuant to the Stipulation above, the Court will review Plaintiff's claim for long-term  
16 disability benefits *de novo* and no discovery will be permitted unless the Court instructs a party  
17 or the parties to address issues outside the claim record.

19 IT IS SO ORDERED.

22 DATED: 4/28, 2009

23  
24  
25  
26  
27  
28  
The Hon   
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
JUDGE