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10 Attorneys for Plaintiffs and all others
 11 similarly situated

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14
 15 JENNIFER WINBERY, ALICE M.
 16 BURKE, CONSTANTINO M.
 17 AGUILAR, DONNA A. HOFFART and
 18 RONALD J. HOFFART, on behalf of
 themselves and all others similarly
 situated,

19 Plaintiffs,

20 vs.

21 AMERICO FINANCIAL LIFE AND
 22 ANNUITY INSURANCE COMPANY,
 23 EQUITA FINANCIAL AND
 INSURANCE SERVICES and DOES 1
 through 100,

24 Defendants.

CASE NO. CV 09-0134 JCS

**STIPULATION FOR FILING OF
 PLAINTIFFS' FIRST AMENDED
 COMPLAINT**

Hon. Joseph C. Spero

Complaint Filed: January 12, 2009

Trial Date: September 12, 2011

1 The parties to the above-entitled action, plaintiffs Jennifer Winbery, Alice M.
2 Burke, Constantino M. Aguilar, Donna A. Hoffart and Ronald J. Hoffart, on behalf of
3 themselves and all others similarly situated (“Plaintiffs”), defendant Americo Financial
4 Life and Annuity Insurance Company (“Americo”) and defendant Equita Financial and
5 Insurance Services (“Equita”), hereby stipulate through their respective attorneys of
6 record that Plaintiffs may file their First Amended Complaint – a copy of which is
7 attached hereto and is filed simultaneously with this Stipulation.

8
9 Dated: November 24, 2010

LATHAM & WATKINS LLP
Ethan J. Brown
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
Alan B. Clark

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13 By: /s/ Ethan J. Brown
14 Ethan J. Brown

15 Attorney for Defendant
16 AMERICO FINANCIAL LIFE AND
ANNUITY INSURANCE COMPANY

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18 Dated: November 24, 2010

STRASBURGER & PRICE LLP
Scott A. Shanes
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Philip A. Toomey
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23 Scott A. Shanes

24 Attorney for Defendant
25 EQUITA FINANCIAL AND INSURANCE
26 SERVICES
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1 Dated: November 24, 2010

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Gordon W. Renneisen

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Attorneys for Plaintiffs and all others
similarly situated

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10 Dated: Nov. 30, 2010



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