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 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 DAPHNE P. RAND, by and through DEBRA)	Case No. CV 09-0639-SI
17 L. DOLCHE, as Conservator of the Person and)	
18 Estate of DAPHNE P. RAND, Conservatee, on)	STIPULATION AND [PROPOSED]
19 Behalf of Themselves and All Others Similarly)	ORDER REGARDING REVISED
Situated,)	BRIEFING SCHEDULE FOR
)	DEFENDANT’S MOTION FOR
20 Plaintiff,)	PARTIAL SUMMARY JUDGMENT
)	
21 v.)	(Assigned to the Honorable Susan Illston)
)	
22 AMERICAN NATIONAL INSURANCE)	
23 COMPANY, a Texas corporation,)	
)	
24 Defendant.)	

25
 26 This stipulation is made between Plaintiff DAPHNE P. RAND, by and through DEBRA
 27 DOLCH, as Conservator of the Person and Estate of DAPHNE P. RAND, (“Plaintiff”) and
 28

1 Defendant American National Insurance Company (“ANICO” or “Defendant”), by and through
2 their respective counsel, based on the following:

3 WHEREAS, on February 26, 2010, Defendant filed a Motion for Partial Summary
4 Judgment (“Motion”).

5 WHEREAS, the date for filing Plaintiff’s Response in Opposition to Defendant’s Motion
6 for Partial Summary Judgment was extended by stipulation and order of the Court to May 25,
7 2010.

8 WHEREAS, Plaintiff has noticed certain depositions of ANICO pursuant to Rule
9 30(b)(6) on topics relating to actuarial methods, policies, and compliance, and corporate policies
10 and compliance, which will take place on May 25-27, 2010. Plaintiff reasonably anticipates
11 information acquired during these depositions will be relevant in responding to Defendant’s
12 Motion.

13 WHEREAS, the parties have agreed for purposes of judicial efficiency and economy, to
14 extend the filing deadline for Plaintiff’s Response in Opposition to Defendant’s Motion for
15 Partial Summary Judgment to June 1, 2010 and Defendant’s Reply in Support for Partial
16 Summary Judgment to June 16, 2010.

17 THEREFORE, it is hereby stipulated between the undersigned parties, through their
18 counsel of record, that, with the Court’s permission, the following briefing schedule for
19 Defendant’s Motion shall be adopted:

20 Deposition of ANICO’s Rule 30(b)(6)
21 representative relating to actuarial
22 methods, policies, and compliance, and
23 corporate policies and compliance: On or before May 27, 2010

24 Plaintiff’s Response in Opposition to
25 Defendant’s Motion for Partial
26 Summary Judgment: June 1, 2010

27 Defendant’s Reply in Support for Partial
28 Summary Judgment: June 16, 2010

Hearing on Defendant's Motion for Partial
Summary Judgment:

June 25, 2010

DATED: May 20, 2010

BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

By: /s/Andrew S. Friedman

ANDREW S. FRIEDMAN

Attorneys for Plaintiff DAPHNE P. RAND, by and
through DEBRA J. DOLCH, as Conservator of the Person
and Estate of DAPHNE P. RAND, Conservatee

DATED: May 20, 2010

WILSON ELSER MOSKOWITZ EDELMAN & DICKER

By: /s/Thomas M. Herilhy

THOMAS M. HERILHY

Attorneys for Defendant AMERICAN NATIONAL
INSURANCE COMPANY

ATTESTATION OF SIGNATURE

(N.D. Cal. General Order 45)

Pursuant to General Order No. 45, § X(B), I hereby attest under penalty of perjury that
concurrence in the filing of the document has been obtained from all the signatories.

DATED: May 20, 2010

BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

By: /s/Andrew S. Friedman

ANDREW S. FRIEDMAN

ORDER

IT IS SO ORDERED.

DATED: _____

By



The Honorable Susan Illston
District Court Judge

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CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice list.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 20, 2010.

By: /s/Nancy Varner
Nancy Varner
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