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Attorneys for Plaintiff and the Putative Class

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through DEBRA
 J. DOLCH, as Conservator of the Person and
 Estate of DAPHNE P. RAND, Conservatee, on
 Behalf of Themselves and All Others Similarly
 Situated.

Plaintiff,

vs.

AMERICAN NATIONAL INSURANCE
 COMPANY, a Texas corporation.

Defendant.

Case No. CV 09 0639 SI

CLASS ACTION

**AMENDED STIPULATION AND
 [PROPOSED] ORDER CONTINUING
 BRIEFING SCHEDULE**

Judge Susan Illston

Action Filed: 02/12/09

This stipulation is made between Plaintiff DEBRA J. DOLCH, as Special Administrator of the Estate of DAPHNE P. RAND ("Plaintiff") and Defendant American National Insurance Company ("ANICO" or "Defendant"), by and through their respective counsel of records, based on the following:

1 WHEREAS, on August 19, 2010 (dkt. 130), the court moved Defendant's Motion for
2 Partial Summary Judgment, previously set for September 3, 2010, to September 10, 2010 at 9:00
3 a.m. in Courtroom 10.

4 WHEREAS, Plaintiff agrees she will not amend the complaint or add parties between now
5 and the time ANICO responds to her Motion for Class Certification, but reserves the right to so
6 amend and/or intervene with a new or additional plaintiff based upon any challenges or objections
7 by Defendant. Defendant reserves its rights to any and all defenses to such amendment or
8 interventions, if any.
9

10 WHEREAS, the current schedule requires plaintiffs to submit their class certification
11 motion and expert disclosures on September 21, 2010 and one of plaintiff's counsel, Ingrid Evans,
12 will be out of the country during that time period. Additionally, plaintiff's counsel Andrew
13 Friedman is set for trial on September 13, 2010, and is unavailable during that time.
14

15 Additionally, the parties are still conducting discovery: Defendant has not yet completed
16 document production; and depositions of additional witnesses will be scheduled after the final
17 document production. The parties believe that the current scheduling order on class certification
18 should be modified to allow for completion of discovery, resolution of any discovery disputes and
19 any other matters, as follows:
20

	Current Dates	Proposed Dates
21 Plaintiff's Motion for Class Certification and	September 21, 2010	November 4, 2010
22 Designation of Class Cert Experts		
23 Defendant's Opposition to Motion for Class	November 9, 2010	January 6, 2010 2011
24 Certification and Expert Disclosures		
25 Plaintiff's Reply in Support of Motion for Class	November 30, 2010	January 20, 2010 2011
26 Certification		Feb. 4, 2011
27 Hearing on Motion for Class Certification	December 20, 2010	January 31, 2010
28		

THEREFORE, it is hereby stipulated between the undersigned parties, through their counsel of record, that the briefing schedule for Plaintiff's Motion Class Certification briefing may be continued as set forth above, subject to approval by the Court.

DATED: September 7, 2010 WATERS, KRAUS & PAUL

By: /s/
 INGRID M. EVANS
 Attorneys for Plaintiff DEBRA J. DOLCH, as Special
 Administrator of the Estate of DAPHNE P. RAND

DATED: September 7, 2010 GREER, HERZ & ADAMS, LLP

By: _____
JOSEPH R. RUSSO
Attorneys for Defendant AMERICAN NATIONAL
INSURANCE COMPANY

ATTESTATION OF SIGNATURE

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 signatories.

DATED: September 7, 2010 WATERS, KRAUS & PAUL

By: /s/
INGRID M. EVANS

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IT IS SO ORDERED.

DATED: _____

By 

The Honorable Susan Illston
District Court Judge