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12 Attorneys for Plaintiff and the Putative Class

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

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

19 Plaintiff,

20 vs.

21 AMERICAN NATIONAL INSURANCE
 22 COMPANY, a Texas corporation.

23 Defendant.

Case No. CV 09 0639 SI

CLASS ACTION

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

Judge Susan Illston

Action Filed: 02/12/09

24 This stipulation is made between Plaintiff DEBRA J. DOLCH, as Special Administrator of
 25 the Estate of DAPHNE P. RAND (“Plaintiff”) and Defendant American National Insurance
 26 Company (“ANICO” or “Defendant”), by and through their respective counsel of records, based
 27 on the following:
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WHEREAS, Plaintiff agrees she will not amend the complaint or add parties between now and the time ANICO responds to her Motion for Class Certification, but reserves the right to so amend and/or intervene with a new or additional plaintiff based upon any challenges or objections by Defendant. Defendant reserves its rights to any and all defenses to such amendment or interventions, if any.

WHEREAS, the current schedule requires plaintiffs to submit their class certification motion and expert disclosures on March 21, 2011. Currently the parties are actively involved in settlement negotiations and will continue with discovery if settlement terms are not reached. Based on the status of the negotiations, the parties believe that the current scheduling order on class certification should be modified to allow for settlement negotiations to proceed or, alternatively, completion of discovery, resolution of any discovery disputes and any other matters, as follows:

| | Current Dates | Proposed Dates |
|--|----------------------|-----------------------|
| Plaintiff’s Motion for Class Certification and Designation of Class Cert Experts | March 21, 2011 | April 21, 2011 |
| Defendant’s Opposition to Motion for Class Certification and Expert Disclosures | May 11, 2011 | June 11, 2011 |
| Plaintiff’s Reply in Support of Motion for Class Certification | May 25, 2011 | June 25, 2011 |
| [Proposed] Hearing on Motion for Class Certification | June 8, 2011 | July 8, 2011 |

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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: March 21, 2011 THE EVANS LAW FIRM

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

DATED: March 21, 2011 GREER, HERZ & ADAMS, LLP

By: _____ /s/
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: March 21, 2011 THE EVANS LAW FIRM

By: _____ /s/
INGRID M. EVANS

IT IS SO ORDERED.

DATED: 3/22/11

By 
The Honorable Susan Illston
District Court Judge