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27		
28	1 STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR CONDUCTING F	ARLY
	NEUTRAL EVALUATION USDC NDCA Case # CV09-0639 SI 481554.1	
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1	UNITED STATES DISTRICT COURT			
2	NORTHERN DISTRICT OF CALIFORNIA			
3	SAN FRANCISCO DIVISION			
4	DAPHNE P. RAND, by and through DEBRA J. ()	Case No.: CV09-0639 SI		
5	DOLCH, as Conservator of the Person and Estate ) of DAPHNE P. RAND, Conservatee, on Behalf of ) Themselves and All Others Similarly Situated, )	STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR		
6	) Plaintiff,	CONDUCTING EARLY NEUTRAL EVALUATION		
7	v. )	[N.D. ADR Local Rule 5-5]		
8	AMERICAN NATIONAL INSURANCE			
9	COMPANY, a Texas corporation,	Honorable Susan Illston		
10	Defendant. )			
11 12		ra I. Doloh, as Conservator of the Person and		
12	Plaintiff Daphne Rand, by and through Debra J. Dolch, as Conservator of the Person and Estate of Daphne R. Band, Conservator, on Bahalf of Themselves and All Others Similarly			
13	Estate of Daphne P. Rand, Conservatee, on Behalf of Themselves and All Others Similarly Situated ("Plaintiff") and defendant American National Insurance Company ("Defendant") hereby			
15	submit this Stipulation to extend the deadline for conducting the Early Neutral Evaluation (ENE)			
16	session.			
17	WHEREAS, the parties scheduled the ENE session for October 13, 2009;			
18	WHEREAS, the parties engaged in joint preliminary discussions with the appointed			
19	evaluator Charles G. Miller, in which the parties	agreed that the ENE session will be most		
20	beneficial if it is held after the Court rules on plaintif	ff's motion for class certification;		
21	///			
22	///			
23	///			
24	///			
25	///			
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27	///			
28	2 STIPULATION AND [PROPOSED] ORDER TO EXT			
	NEUTRAL EVALUATION USDC NDCA Case # CV09-0639 SI 481554.1			

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1	WHEREAS, the appointed evaluation	tor Charles G. Miller has agreed to make himself	
2	available for an ENE session on a new date if the parties are able to obtain an extension in order to		
3	await the Court's order on plaintiff's motion for class certification;		
4	IT IS HEREBY STIPULATED by and between the parties hereto that the deadline for		
5	conducting the ENE session will be extended to June 15, 2010.		
6			
7	Date: October 12, 2009	WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP	
8			
9		By: /s/ <i>Thomas M. Herlihy</i> THOMAS M. HERLIHY	
10		Attorneys for Defendant AMERICAN NATIONAL INSURANCE	
11 12		COMPANY	
12	Date: October 12, 2009	WATERS KRAUS & PAUL	
13			
15		By: <u>/s/ Ingrid M. Evans</u> INGRID M. EVANS	
16		Attorneys for Plaintiff	
17		DAPHNE P. RAND	
18		ODDED	
19	Good cause appearing therefore	ORDER IT IS HEREBY ORDERED that the deadline for	
20	conducting the ENE session will be extende	d to June 15, 2010.	
21		Sugar Matra	
22	Date: By:	HONORABLE SUSAN ILLSTON	
23		United States District Judge	
24			
25			
26 27			
27		3	
20	NEUTR	TO EXTEND DEADLINE FOR CONDUCTING EARLY RAL EVALUATION	
	USDC NDCA Case # CV09-0639 SI 481554.1		

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1	CERTIFICATE OF SERVICE		
2	I hereby certify that on October 12, 2009, I electronically filed the foregoing with the Clerk		
3	of the Court using the CM/ECF system which will send notification of such filing to the e-mail		
4	addresses denoted on the Electronic Mail Notice List.		
5	I certify under penalty of perjury under the laws of the United States of America that the		
6	foregoing is true and correct. Executed on October 12, 2009.		
7			
8	/s/ Shivani Nanda		
9	SHIVANI NANDA		
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28	4 STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR CONDUCTING EARLY		
	NEUTRAL EVALUATION USDC NDCA Case # CV09-0639 SI 481554.1		