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11 Attorneys for Plaintiffs

12
 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

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

Case No. CV 09-0639-SI
CLASS ACTION

19 Plaintiff,

) **JOINT STIPULATION AND**
) **PROPOSED ORDER REGARDING**
) **BRIEFING AND HEARING**
) **SCHEDULE FOR DEFENDANT’S**
) **MOTION FOR PARTIAL SUMMARY**
) **JUDGMENT**

20 v.

21 AMERICAN NATIONAL INSURANCE)
 22 COMPANY, a Texas corporation,)
 23)

24 Defendant.

25
 26 WHEREAS, on February 26, 2010, Defendant American National Insurance Company
 27 (“ANICO”) filed a Motion for Partial Summary Judgment (“Motion”).
 28

1 WHEREAS, in order to adequately respond to ANICO's Motion, Plaintiff needs ANICO to
2 produce certain documents responsive to its discovery requests and to take a Rule 30(b)(6) deposition
3 of ANICO on topics relating to compliance with Cal. Ins. Code § 10127 *et seq.*, which the parties have
4 agreed will take place on or before April 16, 2010. ANICO has also agreed to produce documents
5 relevant to this Rule 30(b)(6) deposition prior to the deposition date.

6 WHEREAS, Plaintiff anticipates that it can file its opposition to ANICO's Motion within ten
7 (10) days of the completion of the aforementioned Rule 30(b)(6) deposition and ANICO anticipates
8 that it can file its reply in support of its Motion within seven (7) days of the filing of Plaintiff's
9 opposition.

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
11 Parties, through their undersigned counsel, that, with the Court's permission, the following discovery,
12 briefing and hearing schedule for ANICO's Motion shall be adopted:

13 ANICO's Production of policy documents
14 establishing the contents of the policy packets
15 delivered to plaintiff and class members
16 (e.g. Policy, application, cover, jacket, stickers, etc),
17 compiled in the same format and order as
18 these materials are delivered at the time of the sale
19 to plaintiff and class members: March 25, 2010

20 Deposition of ANICO's Rule 30(b)(6) representative
21 relating to compliance with Cal. Ins. Code § 10127,
22 *et seq.*: On or before April 16, 2010

23 Plaintiffs' Response to Defendants' Motion
24 for Partial Summary Judgment: April 26, 2010

25 Defendants' Reply in Support of Motion
26 For Partial Summary Judgment: May 3, 2010

27 Hearing on ANICO's Motion for Partial Summary
28 Judgment: May __, 2010

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1 DATED: March 9, 2010

BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

2
3 By: _____ /s/

4 ANDREW S. FRIEDMAN

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

8 DATED: March 9, 2010

WILSON ELSER MOSKOWITZ EDELMAN & DICKER

9 By: _____ /s/

10 THOMAS M. HERILHY

11 Attorneys for Defendant AMERICAN NATIONAL
12 INSURANCE COMPANY

13 ATTESTATION OF SIGNATURE

(N.D. Cal. General Order 45)

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

16 DATED: March 9, 2010

WATERS KRAUS & PAUL

17
18 By: _____ /s/

19 INGRID M. EVANS

20 ORDER

21 IT IS SO ORDERED.

22 DATED: _____

23 
24 By _____

25 The Honorable Susan Illston
26 District Court Judge