

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LORRAINE PLACIDO,

Plaintiff,

No. C 09-00668 WHA

v.

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA; NORTEL  
NETWORKS LONG TERM DISABILITY  
PLAN,

Defendants.

**CASE MANAGEMENT ORDER  
IN RECOVERY-OF-BENEFITS  
ACTION UNDER ERISA**

After a case management conference, the Court enters the following order pursuant to Rule 16 of the Federal Rules of Civil Procedure (“FRCP”) and Civil Local Rule 16-10:

1. All initial disclosures under FRCP 26 must be completed by **JANUARY 29, 2010**, on pain of preclusion under FRCP 37(c).
2. Leave to add any new parties or pleading amendments must be sought by **FEBRUARY 26, 2010**.
3. This is an action to recover disability benefits under ERISA. A threshold question is the extent to which the “administrative record” should be augmented and/or discovery allowed. To tee up this issue, the following procedure will be used. On **APRIL 18, 2010**, defendant shall file the “administrative record” and its motion for summary judgment to be heard on a 35-day track. In this submission, please include a detailed

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declaration explaining what is and is not in the “administrative record” and the manner and guidelines by which it was compiled. Then, plaintiff’s opposition and any request for discovery shall be filed **THREE WEEKS** before the hearing with any reply thereto **TWO WEEKS** before the hearing. Reply declarations will be disfavored.

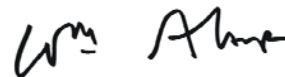
4. Depending on the outcome of the summary-judgment motion, this case may or may not proceed further. If it does, a further case management order will issue.

5. A further case management conference is set for **JUNE 3, 2010 at 11:00 A.M.**

6. After the case is over, please fill out the appended “Suggestions Box” memo on an anonymous basis and send to Judge William Alsup, United States District Court, 450 Golden Gate Avenue, San Francisco, California 94102. Your constructive criticism will be most appreciated.

**IT IS SO ORDERED.**

Dated: January 21, 2010



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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**SUGGESTIONS BOX**

Judge Alsup invites views of any counsel or party on how to improve the administration of justice in his courtroom. Please offer as much constructive criticism as you wish. (If there is any practice you particularly wish to stay in place, such comments would also be welcome.) Please do not identify yourself or your firm. Please comment on:

1. Case management —
2. Disclosure and discovery —
3. Motion practice —
4. Class actions and derivative actions —
5. Trials —
6. Fairness, bias, temperament, efficiency and demeanor —
7. Is there anything else about our district court you would like to improve?