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15 Attorneys for Defendants  
 16 HARTFORD LIFE INSURANCE COMPANY;  
 BERTELSMANN, INC. EMPLOYEE PROTECTION  
 17 PLAN NUMBER 503

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA

20 PENNY BENDER,  
 21 Plaintiff,  
 22 v.

23 HARTFORD LIFE INSURANCE  
 COMPANY, As Administrator and  
 24 Fiduciary of the Bertelsmann, Inc.,  
 Employee Protection Plan Number 503;  
 25 THE BERTELSMANN, INC.  
 EMPLOYEE PROTECTION PLAN  
 26 NUMBER 503,  
 27 Defendants.

CASE NO. C 09-01163 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING HEARING DATE  
 ON PARTIES' CROSS-MOTIONS FOR  
 JUDGMENT TO JULY 30, 2010**

JUDGE: Honorable Maxine M. Chesney

1 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Penny Bender  
2 (“plaintiff”) and defendants Hartford Life Insurance Company and The Bertelsmann, Inc.,  
3 Employee Protection Plan Number 503 (collectively “defendants”), by and through their  
4 attorneys of record herein, that the hearing on the parties’ cross motions for judgment be  
5 continued from July 16, 2010 to July 30, 2010:

6 1. On April 27, 2010, the Court granted plaintiff’s motion to re-open discovery to take  
7 the deposition of Bruce Luddy, a Hartford employee, and set a briefing schedule for the parties  
8 to file supplement briefs on their cross-motions for judgment following Mr. Luddy’s deposition.  
9 The deposition took place on May 28, 2010.

10 2. Plaintiff was ordered to file her supplemental Opposition and Reply on or before June  
11 11, 2010, and defendants were ordered to file their Supplemental Sur-Reply on or before June  
12 25, 2010.

13 3. The hearing on the parties’ cross-motions for judgment was set for July 16, 2010 at  
14 9:00 a.m.

15 4. Good cause exists to continue the hearing to July 30, 2010, as counsel for defendants  
16 is unavailable on July 16, 2010.

17 WHEREAS, the parties hereby stipulate, agree, and respectfully request that the Court  
18 continue the hearing date for the cross-motions for judgment to July 30, 2010 at 9:00 a.m. The  
19 continuance will not affect the briefing schedule, and defendants’ Supplemental Sur-Reply will  
20 remain due to be filed on or before June 25, 2010.

21 SO STIPULATED, AGREED, AND RESPECTFULLY REQUESTED:

22  
23 DATED: June 24, 2010

ROBOOSTOFF & KALKIN

JULIAN M. BAUM & ASSOCIATES

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26 By: *s/Scott Kalkin*  
27 *s/Julian M. Baum*  
28 \_\_\_\_\_  
Scott Kalkin  
Julian M. Baum  
Attorneys for Plaintiff  
PENNY BENDER

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DATED: June 24, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: s/Dennis G. Rolstad  
Dennis G. Rolstad  
Erin A. Cornell  
Attorneys for Defendants  
HARTFORD LIFE INSURANCE COMPANY;  
BERTELSMANN, INC. EMPLOYEE PROTECTION  
PLAN NUMBER 503

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.

s/Dennis G. Rolstad  
Dennis G. Rolstad

**ORDER**

IT IS HEREBY ORDERED that the hearing for the parties' cross-motions for judgment is continued to July 30, 2010 at 9:00 a.m.

DATED: June 28, 2010

  
HONORABLE MAXINE M. CHESNEY