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23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA

25 CINDA KROLL,

No. C09-01404 JSW

26 Plaintiff,
 27 vs.

JOINT REQUEST FOR LEAVE TO
 FILE NEW BRIEFING SCHEDULE
 AND [~~PROPOSED~~] ORDER

28 KAISER FOUNDATION HEALTH PLAN
 LONG TERM DISABILITY PLAN,

Defendant.

Hon. Jeffrey S. White

29 METROPOLITAN LIFE
 30 INSURANCE COMPANY,
 31 Real Party In Interest

32 Whereas, the deadline for filing the opening brief on cross-dispositive motions is December

1 4, 2009; and

2 Whereas, defendant has requested an extension to December 21 to respond to outstanding
3 discovery due to the illness of defense counsel and,
4

5 Whereas, it may be necessary for the plaintiff to file a motion to compel discovery, which
6 will not be known until the discovery responses are received on December 21, and
7

8 Whereas, for that reason, the parties cannot now set the final briefing schedule on the
9 dispositive motions,
10

11 Now, therefore, the parties request leave to file a proposed new briefing schedule on cross-
12 dispositive motions no later than December 31, 2009. In the event that there is no need for a
13 discovery motion, the parties anticipate that the opening brief on the dispositive motions will be filed
14 at the end of December or early January; if, however, a discovery motion is required, then the
15 briefing schedule will need to be set with sufficient time to allow for the discovery motion to be
16 heard before the dispositive motions can be briefed.
17

18
19 DATED: December 4, 2009

/s/ Laurence F. Padway

20 _____
21 Laurence F. Padway
22 Law Offices of Laurence F. Padway
23 Attorneys for plaintiff

24 DATED: December 4, 2009

25 /s/ Rebecca A. Hull (as authorized 12/4/09)
26 Rebecca A. Hull
27 Cari A. Cohorn
28 Sedgwick, Detert, Moran & Arnold LLP
Attorneys for Deloitte and Touche USA LLP
Plan, and Metropolitan Life Insurance Company

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Good cause appearing it is so ordered. The current hearing date on dispositive motions of February 5, 2010 is vacated and will be reset based upon the briefing schedule to be filed by the parties no later than December 31, 2009.

Dated: December 7, 2009


Hon. Jeffrey S. White
UNITED STATES DISTRICT COURT