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7 Attorneys for Defendants  
 Metropolitan Life Insurance Company and  
 TriNet Group, Inc. and its Subsidiaries Welfare Plan  
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 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 THUYTIEN DO,  
 13  
 Plaintiff,

14 v.

15 METROPOLITAN LIFE INSURANCE  
 16 COMPANY; TRINET GROUP, INC.  
 AND ITS SUBSIDIARIES WELFARE  
 17 PLAN,

18 Defendants.  
 19

CASE NO. CV 09-1505 MMC

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER EXTENDING THE ADR  
 DEADLINE**

20 Plaintiff Thuytien Do (“plaintiff”) and defendants Metropolitan Life Insurance Company  
 21 (“MetLife”), TriNet Group, Inc. and its Subsidiaries Welfare Plan (“Plan”), by and through their  
 22 respective counsel of record, hereby submit this stipulation and proposed order to extend the time  
 23 for completion of ADR procedures to and including December 18, 2009.

24 Good cause exists for the requested extension. The parties were scheduled for a  
 25 mediation with Robert Schwartz, Esq., through the Court’s ADR program, which had been to  
 26 take place on October 23, 2009. Counsel for MetLife and the Plan, however, learned after the  
 27 mediation date was scheduled that a hearing had been set in another matter, which conflicts with  
 28 the scheduled mediation date, and which requires the personal attendance of the lead attorney for

1 defendants in this matter.<sup>1</sup> As such, the mediation date must be reset, but it is not possible for it  
2 to be set in the near future. Moreover, the parties have been engaged in meaningful settlement  
3 discussions and believe resolution may be possible within the next 60 days even without the  
4 assistance of the assigned mediator.

5 The parties are hopeful that the matter will be resolved within the proposed extended  
6 deadline, given that they are currently in discussions for possible resolution even without the  
7 assistance of the assigned mediator. Should that prove not to be a fruitful exercise, however, the  
8 parties will undertake to mediate the matter within the proposed extended deadline.

9 IT IS SO STIPULATED.

10 DATED: October 22, 2009 SEDGWICK, DETERT, MORAN & ARNOLD LLP

11 By: /s/ Rebecca A. Hull  
12 Rebecca A. Hull  
13 Ryan L. Harrison  
14 Attorneys for Defendants  
METROPOLITAN LIFE INSURANCE COMPANY;  
GMAC MORTGAGE GROUP LONG TERM  
DISABILITY PLAN

15 DATED: October 22, 2009 KANTOR & KANTOR, LLP

16 By: /s/ Alan E. Kassan (as authorized 10/22/09)  
17 Alan E. Kassan  
18 Attorneys for Plaintiff  
THUYTIEN DO

19  
20 **ORDER**

21 Pursuant to the Stipulation above, and good cause appearing therefor, the parties are  
22 ordered and directed to participate in mediation with the assistance of a mediator from the Court  
23 Appointed Panel, on or before December 18, 2009.

24 IT IS SO ORDERED.

25 Dated: November 3, 2009

26  
27   
28 UNITED STATES DISTRICT COURT JUDGE

27 <sup>1</sup> Although a more junior attorney also is counsel of record for defendants, he relocated to  
28 defense counsel's Austin, Texas, office a few weeks ago and is not available to attend the  
mediation.