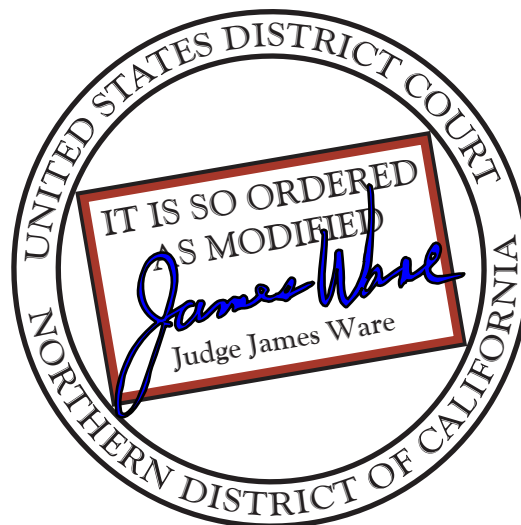


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11 Attorneys for Defendant Kaiser Permanente Flexible  
 12 Benefits Plan, incorrectly sued as Kaiser Foundation Health  
 Plan Long Term Disability Plan; and Real Party in Interest  
 13 and Counterclaimant Metropolitan Life Insurance Company



14  
 15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

18 PAMELA LEE,

19 Plaintiff,

20 v.

21 KAISER FOUNDATION HEALTH PLAN  
 LONG TERM DISABILITY PLAN,

22 Defendant.

23  
 24 AND RELATED COUNTERCLAIM  
 25

Case No. 3:09-cv-02176 JW

**STIPULATION AND [~~PROPOSED~~]  
 ORDER FOR CONTINUANCE OF  
 BRIEFING DATES AND THE HEARING  
 DATE FOR THE PARTIES' MOTIONS**

1 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

2 Currently pending before the Court are Counterclaimant Metropolitan Life Insurance  
3 Company's ("MetLife") motion for judgment (ECF No. 89) and plaintiff's motion for entry of  
4 judgment (ECF No. 91). The parties' respective opposition briefs are currently due January 20,  
5 2012. Plaintiff's counsel is ill and will not be able to timely file an opposition brief on behalf  
6 of his client. Therefore, the parties respectfully request that the Court grant a short continuance  
7 of the briefing dates.

8 The parties request that the Court continue the last day for the parties to file their  
9 opposition briefs from January 20, 2012 to Monday January 23, 2012. The parties further  
10 request that the Court continue the last day for the parties to file their reply briefs from January  
11 27, 2012 to January 30, 2012.

12 The parties further agree and request, pursuant to the Court's order and consistent with  
13 the Court's standing order and calendar following the transfer of this matter from the  
14 Honorable Susan Illston to the Honorable James Ware, that the hearing on their respective  
15 motions be continued to March 5, 2012 at 9:00 a.m., or as soon as thereafter as the matter may  
16 be heard.

17 SO STIPULATED, AGREED, AND RESPECTFULLY SUBMITTED:

18 DATED: January 20, 2012 LAW OFFICES OF LAURENCE F. PADWAY

19  
20 By: /s/ Laurence F. Padway (as authorized on 1/20/2012)  
21 Laurence F. Padway  
22 Attorneys for Plaintiff  
Pamela Lee

23 DATED: January 20, 2012 SEDGWICK LLP

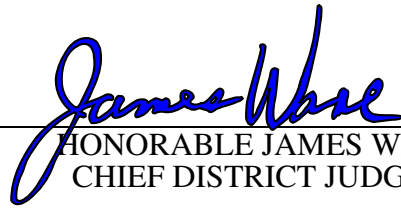
24  
25 By: /s/ Rebecca A. Hull  
26 Rebecca A. Hull  
27 Erin A. Cornell  
28 Attorneys for Defendant Kaiser Permanente Flexible  
Benefits Plan, incorrectly sued as Kaiser Foundation  
Health Plan Long Term Disability Plan; and Real Party in  
Interest and Counterclaimant Metropolitan Life Insurance  
Company

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**ORDER**

It is so ordered. MetLife's opposition to plaintiff's motion for entry of judgment, and plaintiff's opposition to MetLife's motion for judgment shall be due on January 23, 2012. MetLife's reply in support of its motion or judgment and plaintiff's reply in support of her motion for entry of judgment shall be due on January 30, 2012. The hearing on the parties' motions is continued to ~~March 5,~~ February 13, 2012 at 9:00 a.m.

DATED: Jan. 24, 2012

  
HONORABLE JAMES WARE  
CHIEF DISTRICT JUDGE