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ALICIA MACKEY

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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ALICIA MACKEY,

Case No.: CV 09 2288 CRB

20

Plaintiff,

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE AND RELATED DATES**

21

v.

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23

AETNA LIFE INSURANCE COMPANY;
INTEL TOTAL COMPENSATION AND
BENEFIT PACKAGE; INTEL CORPORATION
LONG TERM DISABILITY PLAN,

Complaint filed: May 22, 2009

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Defendants.

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MILLER LAW GROUP
A PROFESSIONAL CORPORATION
SAN FRANCISCO, CALIFORNIA

1 Plaintiff ALICIA MACKEY ("Plaintiff") and Defendant INTEL CORPORATION
2 LONG TERM DISABILITY PLAN ("Defendant"), by and through their respective
3 undersigned attorneys, hereby stipulate and agree to continue the date of the Court's Initial
4 Case Management Conference and all related dates, as well as the dates of the meet and
5 confer and disclosures required by Federal Rules of Civil Procedure Rule 26, as set forth
6 below.

7
8 WHEREAS, on May 22, 2009, the Court filed its Order Setting Initial Case
9 Management Conference and ADR Deadlines;

10
11 WHEREAS, on June 22, 2009, the Court rescheduled the Initial Case
12 Management Conference in this ERISA action for September 4, 2009 at 8:30 a.m. before
13 the Honorable Charles R. Breyer (Docket Nos. 15, 15-1);

14
15 WHEREAS, the parties have not previously sought to continue or extend any
16 of the deadlines in this ERISA action related to the Initial Case Management Conference
17 and related dates, or disclosures required by Rule 26;

18
19 WHEREAS, the Court's Order Setting Case Management Conference (Docket
20 No. 15-1) provides, in pertinent part, that "[i]f the conference is inconveniently scheduled, it
21 may be rescheduled by stipulation and order to another date or time convenient to the
22 Court's calendar";

23
24 WHEREAS, counsel for Defendant will be out of California and unavailable on
25 a previously-scheduled vacation over the next two weeks, and counsel for the parties agree
26 that it would facilitate efficient and expeditious Rule 26 disclosures, consideration of ADR
27 options, and general scheduling in this ERISA action, to modify the current deadlines
28 including the date set for the Initial Case Management Conference and related dates.

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NOW, THEREFORE,

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant, by and through their respective undersigned attorneys of record, to continue the date set by the Court for the Initial Case Management Conference as well as all related dates, including the dates related to the parties' meet and confer in accordance with FRCP Rule 26 and the parties' consideration and selection of an ADR process, as follows:

- | | |
|------------------------------|---|
| September 16, 2009 | Last day for parties to: |
| | <ul style="list-style-type: none">• Meet and confer re initial disclosures, early settlement, ADR process selection, and discovery plan;• File ADR Certification signed by Parties and Counsel;• File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference. |
| September 30, 2009 | Last day for parties to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Joint Case Management Conference Statement per Standing Order. |
| October 9, 2009 8:30 a.m. | Initial Case Management Conference in Courtroom 8, San Francisco at 8:30 a.m. |

Good cause exists for this continuance of the existing date of the Initial Case Management Conference and related deadlines, including the date of the parties' meet and confer in accordance with FRCP Rule 26 and the parties' consideration and selection of an ADR process Rule, as set forth above.

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IT IS SO STIPULATED.

Dated: August 7, 2009

KANTOR & KANTOR LLP

By: _____ /s/
Peter S. Sessions
Attorneys for Plaintiff ALICIA MACKEY

Dated: August 7, 2009

MILLER LAW GROUP
A Professional Corporation

By: _____ /s/
Katherine L. Kettler
Attorneys for Defendant
INTEL CORPORATION LONG TERM
DISABILITY PLAN

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ORDER

Having reviewed the Stipulation executed by Plaintiff ALICIA MACKEY and Defendant INTEL CORPORATION LONG TERM DISABILITY PLAN, and good cause appearing, the Court hereby orders that the Initial Case Management Conference and associated dates, including the deadlines for the parties' meet and confer in accordance with FRCP Rule 26 and the parties' consideration and selection of an ADR process, are VACATED, and are rescheduled as set forth below.

September 16, 2009

Last day for parties to:

- Meet and confer re initial disclosures, early settlement, ADR process selection, and discovery plan;
- File ADR Certification signed by Parties and Counsel;
- File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

September 30, 2009

Last day for parties to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Joint Case Management Conference Statement per Standing Order.

October 9, 2009
8:30 a.m.

Initial Case Management Conference in Courtroom 8, San Francisco at 8:30 a.m.

IT IS SO ORDERED.

Dated: August 11, 2009

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