

1 Glenn R. Kantor, State Bar No. 122643
 gkantor@kantorlaw.net
 2 Peter S. Sessions, State Bar No. 193301
 psessions@kantorlaw.net
 3 KANTOR & KANTOR LLP
 19839 Nordhoff Street
 4 Northridge, California 91324
 Telephone: (818) 886-2525
 5 Facsimile: (818) 350-6272

6 Attorneys for Plaintiff
 ALICIA MACKEY

7
 8 Michele Ballard Miller, State Bar No. 104198
 mbm@millerlawgroup.com
 Katherine L. Kettler, State Bar No. 231586
 9 klk@millerlawgroup.com
 Jennifer A. Shy, State Bar No. 131074
 10 jas@millerlawgroup.com
 MILLER LAW GROUP P.C.
 11 111 Sutter Street, Suite 700
 San Francisco, CA 94104
 12 Telephone: (415) 464-4300
 Facsimile: (415) 464-4336

13 Attorneys for Defendant
 14 INTEL CORPORATION LONG TERM DISABILITY PLAN

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 17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19
 20 ALICIA MACKEY,

21 Plaintiff,

22 vs.

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

27 Defendants.
 28

Case No. CV 09-2288 CRB

**FURTHER STIPULATION TO SET
 SCHEDULE FOR CROSS-MOTIONS FOR
 SUMMARY JUDGMENT; ~~PROPOSED~~
 ORDER**

1 The parties to this action, through their respective attorneys of record, hereby stipulate and
2 agree to the following:

3
4 1. This is an action for long term disability benefits under an employee welfare benefit
5 plan regulated by the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001 *et seq.*
6 (“ERISA”);

7 2. The Court has granted a prior request by the parties to extend the case deadlines (see
8 Docket No. 33, “Amended Stipulation And Order Extending Case Deadlines,” December 31, 2009);

9 3. In the Court’s December 31, 2009 order, the Court set a hearing date for the parties’
10 cross-motions for summary judgment of July 23, 2010, with motions to be filed by June 18, 2010;

11 4. The parties participated in an early neutral evaluation (“ENE”) pursuant to the Court’s
12 ADR procedures on December 14, 2009;

13 5. While this matter was not resolved at the ENE session, the parties have conducted
14 further settlement discussions since that session;

15 6. On June 16, 2010, pursuant to the parties’ further stipulation (See Docket No. 35
16 “Stipulation to Vacate Existing Case Deadlines and Order Vacating Case Deadlines”), the Court
17 vacated the schedule for briefing and hearing the parties’ cross-motions for summary judgment, and
18 ordered the parties to file a stipulation by July 2, 2010 updating the Court as to the parties’ intentions
19 regarding the progress of this action;

20 7. The parties continue to aggressively participate in settlement discussions and are
21 pursuing various alternative dispute resolution options;

22 8. The parties have not yet resolved the procedural details of how these options would
23 proceed, or under what conditions;

24 9. If the matter is not resolved pursuant to those discussions, the parties need sufficient
25 time to resolve anticipated discovery disputes and prepare their respective Cross-Motions for
26 Summary Judgment, opposition and reply briefs;

27 Therefore, the parties agree that, in order to accomplish these goals, the Court should further continue
28 the date set for hearing on the parties’ Cross-Motions for Summary Judgment, as well as all

1 associated deadlines, including the deadlines for the filing of the parties' opposition and reply briefs,
2 and the date scheduled for the next Case Management Conference to be set by the Court, as follows:

3 Last day for parties to file and serve cross-motions for summary judgment:

4 January 14, 2011

5 Last day for parties to file and serve opposition briefs:

6 January 28, 2011

7 Last day for parties to file and serve reply briefs:

8 February 4, 2011

9 Hearing on parties' cross-motions for summary judgment:

10 February 18, 2011 at 10:00 a.m.

11 Case management conference:

12 _____ February _____ 18 __, 2011, at _____ 10:00 a.m. _____

13
14 Good cause exists for this scheduling of the hearing on the parties' cross motions for
15 summary judgment, and all related deadlines, as set forth above.

16 IT IS SO STIPULATED:

17
18 Dated: July 2, 2010

MILLER LAW GROUP
A Professional Corporation

19
20 By: _____ /s/ Katherine L. Kettler

Katherine L. Kettler
Attorneys for Defendant INTEL
CORPORATION LONG TERM
DISABILITY PLAN

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24 Dated: July 2, 2010

KANTOR & KANTOR

25
26 By: _____ /s/ Peter S. Sessions

Peter S. Sessions
Attorneys for Plaintiff ALICIA MACKEY

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~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation, and good cause shown, the scheduling of the hearing on the parties' cross-motions for summary judgment is set as follows:

Last day for parties to file and serve cross-motions for summary judgment:

January 14, 2011

Last day for parties to file and serve opposition briefs:

January 28, 2011

Last day for parties to file and serve reply briefs:

February 4, 2011

Hearing on parties' cross-motions for summary judgment:

February 18, 2011 at 10:00 a.m.

Case management conference:

_____, 2011, at _____

It is so ordered.

Dated: July 8, 2010

