

Ropers Majeski Kohn & Bentley
A Professional Corporation
Redwood City

1 PAMELA E. COGAN (SBN 105089)
HANA HARDY (SBN 252871)
2 STACY M. TUCKER (SBN 218942)
ROPER, MAJESKI, KOHN & BENTLEY
3 1001 Marshall Street, 3rd Floor
Redwood City, CA 94063
4 Telephone: (650) 364-8200
Facsimile: (650) 780-1701
5 Email: pcogan@rmkb.com
hhardy@rmkb.com
6 stucker@rmkb.com

7 Attorneys for Defendant ALLIED DOMEQC
SPIRITS & WINE USA INC. AND
8 SUBSIDIARY & AFFILIATED
COMPANIES GROUP WELFARE
9 INSURANCE PLAN FOR EMPLOYEES IN
THE US (erroneously sued as ALLIED
10 DOMEQC SPIRITS AND WINE GROUP
DISABILITY INCOME POLICY) and Real
11 Party In Interest LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 ANTONIO PRADO,
17 Plaintiff,
18 v.
19 ALLIED DOMEQC SPIRITS AND WINE
GROUP DISABILITY INCOME
20 POLICY,
21 Defendant.
22
23 LIBERTY MUTUAL INSURANCE,
LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON
24
25 Real Party In Interest.

Case No. C 09 04419 SC

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE HEARING ON MOTION
FOR STANDARD OF REVIEW**

26
27 **WHEREAS**, the parties agreed to mediate this matter pursuant to the Northern District
28 ADR Mediation Program, and the court signed an order referring the case to mediation on

1 February 1, 2010;

2 **WHEREAS**, the court set the case for hearing for a motion for summary judgment on the
3 standard of review at the case management conference on February 19, 2010, with a hearing date
4 set for May 7, 2010;

5
6 **WHEREAS**, the court ordered at the case management conference on February 19, 2010
7 that Plaintiff may also notice a motion for limited discovery or motion to strike surveillance for
8 hearing on May 7, 2010;

9
10 **WHEREAS**, the ADR Clerk's notice of appointment of mediator was issued on March
11 10, 2010, appointing Robert F. Schwartz as mediator, and the parties held the initial pre-
12 mediation conference with Mr. Schwartz on March 24, 2010;.

13 **WHEREAS**, the mediation is now set for April 20, 2010, the earliest mutually convenient
14 date for the parties and the mediator

15 **WHEREAS**, the parties wish to continue the hearing on the motion on the standard of
16 review and any motion for limited discovery or motion to strike the parties may wish to file so
17 that the briefing is not due before the parties first attempt to resolve the case through mediation so
18 as to avoid unnecessary expense and in the interest of judicial economy;

19 **IT IS HEREBY STIPULATED** between the parties, by and through their respective
20 counsel of record, that the court-ordered hearing scheduled for May 7, 2010 on Motion for
21 Standard of Review and any motion for limited discovery or motion to strike shall be continued to
22 June 4, 2010.

23 **IT IS SO STIPULATED.**
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 31, 2010

LAW OFFICES OF LAURENCE PADWAY

By /s/ Laurence Padway
LAURENCE PADWAY
Attorney for Plaintiff ANTONIO PRADO

Dated: March 31, 2010

ROPER, MAJESKI, KOHN & BENTLEY

By: /s/ Pamela E. Cogan
PAMELA E. COGAN
HANA HARDY
STACY M. TUCKER
Attorneys for Defendant ALLIED DOMECQ
SPIRITS AND WINE GROUP DISABILITY
INCOME POLICY and Real Party in Interest
LIBERTY MUTUAL INSURANCE COMPANY

[PROPOSED] ORDER

Based on the stipulation of the parties and good cause appearing therefor, IT IS HEREBY ORDERED:

That the hearing date for the Motion For Summary Judgment on the Standard of Review and any motion for limited discovery or motion to strike the parties may wish to file is continued from May 7, 2010 to ~~June 4, 2010~~. June 25, 2010.

IT IS SO ORDERED.

Dated: April 1, 2010

