

E-Filed 6/17/10

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10 THE PRUDENTIAL INSURANCE
11 COMPANY OF AMERICA

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 DONNA C. RAY,

16 Plaintiff,

17 v.

18 THE PRUDENTIAL INSURANCE
19 COMPANY OF AMERICA, a corporation,
20 DOES 1 thru 30, inclusive,

21 Defendants.

22) CASE NO. 09-5598 RS
23)
24)

25) **STIPULATION AND [PROPOSED]**
26) **ORDER RE: DISCOVERY AND**
27) **MOTION DEADLINES**

28) Case Removed: November 25, 2009
Orig. Answer Filed: December 2, 2009

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

As directed by the Court at the Case Management Conference held on June 10, 2010, plaintiff DONNA C. RAY ("Ray") and Defendant THE PRUDENTIAL INSURANCE COMPANY OF AMERICA ("Prudential"), through their respective attorneys of record, hereby stipulate as follows:

1. The parties have met and conferred to determine the scope of additional discovery needed into the issue of the timeliness of Ray's claims, and believe that such discovery can be completed by **September 15, 2010**.

2. Given a September 17, 2010 discovery completion date, the parties propose that any motions on the timeliness issue be filed no later than **September 22, 2010**, to be heard on **October 28, 2010**.

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DATED: June 16, 2010

GORDON & REES LLP

/s/ Daniel T. Balmat

By _____
David C. Capell
Daniel T. Balmat
Attorneys for Defendant
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

DATED: June 16, 2010

LAW OFFICES OF ROBERT K. SCOTT

/s/ Joel S. Poremba

By _____
Robert K. Scott
Joel S. Poremba
Attorneys for Plaintiff
DONNA C. RAY

~~PROPOSED~~ ORDER

Having considered the Parties' Stipulation Re: Discovery and Motion Deadlines, filed June 16, 2010:

FOR GOOD CAUSE SHOWN, IT IS ORDERED that discovery into whether Plaintiff's claims are timely shall be completed by September 15, 2010. Any motions for summary judgment or other motions based on this issue shall be filed no later than September 22, 2010, to be heard October 28, 2010.

DATED: 6/16/10



Judge, U.S. District Court for the
Northern District of California