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12 Attorneys for Defendants
 Hartford Life and Accident Insurance Company and The
 13 Pillsbury Winthrop, LLP Long-Term Disability Plan

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17
 18 KATHRYN A. BJORKLUN,
 19 Plaintiff,
 20 v.
 21 HARTFORD LIFE AND ACCIDENT
 INSURANCE COMPANY and THE
 22 PILLSBURY WINTHROP, LLP
 LONG-TERM DISABILITY PLAN,
 23 Defendants.

Case No. CV 10-00094 JSW
**STIPULATION AND
~~PROPOSED~~ ORDER TO
 AMEND CASE MANAGEMENT
 SCHEDULE**

24
 25 Plaintiff, Kathryn A. Bjorklun, and Defendants Hartford Life and Accident
 26 Insurance Company and the Pillsbury Winthrop, LLP Long-term Disability Plan, by
 27 and through their respective counsel of record, hereby stipulate as follows:
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1 WHEREAS the parties participated in a lengthy, but unsuccessful mediation
2 on September 28, 2010. The parties waited to submit this request to amend the case
3 management schedule in the hope that the matter would resolve. The parties are
4 still open to settlement discussions.

5 WHERAS the date for the exchange of opening briefs is currently November
6 4, 2010, and the trial date in this matter is set for December 6, 2010. Counsel for
7 Plaintiff, Glenn Kantor, will be out of the country October 21, 2010 through
8 November 7, 2010, and co-counsel Talia Ravis has an Eighth Circuit appellee brief
9 due December 20, 2010. Based on these contemporaneous deadlines, the parties
10 request that the case management schedule be amended as follows:

11 Exchange of opening briefs: January 10, 2011

12 Exchange of responsive briefs: January 24, 2011

13 Trial: February 7, 2011, or a date thereafter convenient to the Court.

14
15 DATED: October 4, 2010

KANTOR & KANTOR, LLP
GLENN R. KANTOR

16
17 By: /s/ Glenn R. Kantor
18 GLENN R. KANTOR
19 Attorneys for Plaintiff
Kathryn A. Bjorklun

20 DATED: October 4, 2010

BURKE, WILLIAMS & SORENSEN, LLP
DANIEL W. MAGUIRE
KEIKO J. KOJIMA

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22 By: /s/ Keiko J. Kojima
23 KEIKO J. KOJIMA
24 Attorneys for Defendants
25 Hartford Life and Accident Insurance
26 Company and The Pillsbury Winthrop, LLP
27 Long-Term Disability Plan
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ORDER

~~Good cause appearing, IT IS HEREBY ORDERED that the case management schedule be amended as follows:~~

~~Exchange of opening briefs: January 10, 2011~~

~~Exchange of responsive briefs: January 24, 2011~~

~~Trial: February 7, 2011, or a date thereafter convenient to the Court.~~

~~DATED:~~

~~HONORABLE JEFFREY S. WHITE
U.S. District Court Judge~~

At the case management conference held on May 7, 2010, the Court ordered that the parties meet and confer regarding a briefing schedule for cross-motions for summary judgment. The opening brief on the cross-motions was supposed to be filed by November 4, with the hearing scheduled for January 14, 2011. It is the Court's practice to adjudicate motions for summary judgment in ERISA actions before holding a bench trial, unless it is absolutely clear that there are disputed issues of fact which would preclude summary judgment in favor of either party. Therefore, the Court again directs the parties to meet and confer and agree to a briefing schedule on cross-motions for summary judgment whereby:

- one party files an opening summary judgment motion by January 14, 2011
- the other party shall file its opposition and cross-motion by January 28, 2011
- the reply and opposition to the cross-motion is due by February 11, 2011
- the reply in support of the cross-motion is due by February 18, 2011

Last Day to Hear Dispositive Motions: March 4, 2011 at 9:00 a.m.

If the parties agree that there are disputed issues of fact which would preclude summary judgment in favor of either party, the Court will consider having the parties file trial briefs in accordance with the above schedule and will set a bench trial if necessary.

IT IS SO ORDERED.

Dated: October 8, 2010

