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9 LIBERTY LIFE ASSURANCE COMPANY and
10 CHARLES SCHWAB DISABILITY PLAN

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 JAMES BOSSIER,
14 Plaintiff,
15 v.
16 CHARLES SCHWAB DISABILITY
17 PLAN, LIBERTY LIFE ASSURANCE
18 COMPANY OF BOSTON,
19 Defendants.

CASE NO. CV-10-0971 RS

**STIPULATION AND ~~PROPOSED~~
ORDER DISMISSING DEFENDANT
CHARLES SCHWAB DISABILITY PLAN**

Ropers Majeski Kohn & Bentley
A Professional Corporation
Redwood City

20 **WHEREAS**, this is an action arising under the Employee Retirement Income Security
21 Act of 1974, as amended (“ERISA”), 29 U.S.C. section 1132 (a)(1) and (3);

22 **WHEREAS**, plaintiff JAMES BOSSIER named The Charles Schwab Disability Plan
23 (“the Plan”) as a defendant in this action;

24 **WHEREAS**, the long-term disability portion of the Plan was insured under a group
25 disability income policy issued by Liberty Life Assurance Company of Boston to Charles Schwab
26 & Co., Inc., the sponsor of the Plan;

27 **WHEREAS**, while Defendants deny liability in this action, Liberty Life agrees it will be
28 liable for any judgment or settlement that may result from this action as if it were the Plan;

IT IS HEREBY STIPULATED between the parties, by and through their respective
counsel of record, that Liberty Life agrees not to object that the Plan is not longer a party.

