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11 INSURANCE CO. OF AMERICA, Real Party in Interest

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19 PATRICIA WHITE

20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 PATRICIA WHITE,

23 Plaintiff,

24 vs.

25 COBLENTZ, PATCH, DUFFY & BASS, LLP
26 LONG TERM DISABILITY INSURANCE
27 PLAN,

28 Defendant.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Real Party in Interest.

) Case No.: CV10-1855 (BZ)

) **RENEWED STIPULATED REQUEST**
) **RE MODIFICATION TO BRIEFING**
) **SCHEDULE FOR CROSS-MOTIONS**
) **FOR JUDGMENT AND [PROPOSED]**
) **ORDER**

) Judge: Hon. Bernard Zimmerman
) Courtroom: G

29 **TO THE COURT, THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

30 Plaintiff Patricia White and Defendant Coblentz, Patch, Duffy & Bass LLP Long Term
31 Disability Insurance Plan (“Plan”) and Real Party in Interest The Prudential Insurance Company

1 of America (“Prudential”), through their respective attorneys, hereby jointly stipulate as follows:

2 WHEREAS the parties previously submitted a Stipulation and [Proposed] Order re:
3 Briefing (hereinafter “Stipulation”), which was denied on April 7, 2011;

4 WHEREAS the accompanying declaration of Tad A. Devlin, submitted herewith in
5 support of the instant Stipulated Request, complies with the requirements of Local Rule 6-2 and
6 sets forth the reasons and GOOD CAUSE showing for the parties’ stipulation;

7 WHEREAS the parties in this action are currently set to attend the Court’s Cross-Motions
8 hearing scheduled for April 27, 2011 at 1:30 p.m.;

9 WHEREAS Plaintiff’s Motion for Judgment and Opening Trial Brief was due on
10 February 23, 2011; and whereas those documents were filed on February 24, 2011; and whereas,
11 the Declaration of Laurence F. Padway was inadvertently omitted from the original filing,
12 together with a portion of Exhibit 16, and both of those documents were filed on February 28,
13 2011;

14 WHEREAS all parties stipulated, and it was so ordered, per Document 34, that Plaintiff’s
15 Motion for Judgment and Opening Trial Brief and the Declaration of Laurence F. Padway shall
16 be considered by the Court as if they had been timely filed;

17 WHEREAS it was further stipulated per Document 34 that Prudential’s Opposition and
18 Cross-Motion Brief could be filed on March 17, 2011 instead of March 16, 2011;

19 WHEREAS all parties agreed, and it was so ordered, per Document 36 to continue the
20 briefing schedule for Prudential’s Opposition and Cross-Motion Brief from March 17, 2011 until
21 March 21, 2011;

22 WHEREAS Plaintiff’s Opposition and Reply brief was due March 30, 2011;

23 WHEREAS all parties agreed to continue the briefing schedule for Plaintiff’s opposition
24 and reply brief from March 30, 2011 until March 31, 2011, and Plaintiff was to file a stipulation
25 confirming this extension and seeking this Court’s approval, but inadvertently failed to do so and
26 will do so by later stipulation and proposed order to this Court;

27 WHEREAS Prudential’s reply brief is currently due April 13, 2011;

28 WHEREAS all parties have agreed to continue the briefing schedule for Prudential’s

1 reply brief from April 13, 2011 until April 15, 2011.

2 WHEREAS all parties have indicated that they will not be prejudiced if the requested two
3 day extension requires the Court to reschedule April 27, 2011 hearing to a later date convenient
4 with this Court, provided the hearing date is continued to a date prior to May 12, 2011;

5 THE PARTIES HEREBY RENEW THEIR STIPULATED REQUEST, through their
6 respective counsel of record, and subject to the Court's approval, to continue the briefing
7 schedule for Prudential's reply brief from April 13, 2011 until April 15, 2011.

8 **IT IS SO AGREED AND STIPULATED.**

Respectfully submitted,

LAW OFFICES OF LAURENCE F.
PADWAY

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12 Dated: April 8, 2011

By: /s/ Laurence F. Padway
Laurence F. Padway
Attorneys for Plaintiff

GORDON & REES

13
14
15 Dated: April 8, 2011

By: /s/ Tad A. Devlin
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COBLENTZ, PATCH, DUFFY &
BASS, LLP LONG TERM
DISABILITY INSURANCE PLAN,
and THE PRUDENTIAL
INSURANCE CO. OF AMERICA,
Real Party in Interest

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21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 DATED: April 13, 2011

