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6 Attorneys for Plaintiff
 7 CATHRYN REID

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

12 CATHRYN REID,
 13 Plaintiff,
 14 v.
 15 ACCREDO HEALTH GROUP, INC., a
 Delaware corporation; MEDCO HEALTH
 16 SOLUTIONS, INC., a Delaware
 corporation; LINCOLN NATIONAL LIFE
 17 INSURANCE CO., an Indiana corporation;
 JEFFERSON PILOT FINANCIAL
 18 INSURANCE COMPANY, a Nebraska
 corporation; SUN LIFE ASSURANCE
 19 COMPANY OF CANADA, a Canadian
 corporation as DOE 1; and DOES 2 to 25,
 20 inclusive,
 21 Defendants.

CASE NO. CV 10-02332 MMC
 STIPULATION, DECLARATION AND
 [PROPOSED] ORDER TO CONTINUE CASE
 MANAGEMENT CONFERENCE FROM
 NOVEMBER 18, 2011 TO FEBRUARY 10,
 2012 AND ORDER THEREON

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1 Pursuant to Local Rule 6, this stipulation is made by and between plaintiff Cathryn Reid
2 and defendants Accredo Health Group, Inc., Medco Health Solutions, Inc., Lincoln National Life
3 Insurance Co., Jefferson Pilot Financial Insurance Company, and Sun Life Assurance Company
4 of Canada, by and through their respective counsel of record, with respect to the following:

5 WHEREAS, on August 26, 2010, the parties filed a stipulation continuing the initial case
6 management conference from September 3, 2010 to October 29, 2010, which the Court approved
7 on August 27, 2010;

8 WHEREAS, on October 29, 2010, the Court held an initial case management conference
9 in this matter, which conference the Court continued to May 13, 2011;

10 WHEREAS, the parties filed a stipulation continuing the May 13, 2011 case management
11 conference to June 10, 2011, which the Court approved on April 11, 2011;

12 WHEREAS, the parties filed a stipulation continuing the June 10, 2011 case management
13 conference to August 26, 2011, which the Court approved on June 6, 2011;

14 WHEREAS, the parties filed a stipulation continuing the August 26, 2011 case
15 management conference to November 18, 2011, which the Court approved on August 22, 2011;

16 WHEREAS, a primary reason for continuing the earlier case management conference was
17 to allow sufficient time for plaintiff to make and complete the life insurance benefit claims herein.
18 While significant progress has been made, those claims are not complete and more time is needed
19 to do so, see Declaration of George J. Barron, attached hereto and incorporated herein by
20 reference;

21 WHEREAS, the Defendants' stipulation for a continuance should not be construed as an
22 admission with regard to the timeliness of any claim or appeal by the Plaintiff;

23 WHEREAS, the Defendants' stipulation for a continuance should not be construed as an
24 admission with regard to the timeliness of any claim or appeal by the Plaintiff;

25 WHEREAS, counsel for all parties have discussed their availability and determined that
26 all counsel can attend a case management conference on February 10, 2012; alternatively if that
27 date is not convenient for the Court, all counsel can attend a case management conference on
28 February 3, 2012;

1 NOW, THEREFORE, the parties hereby jointly request, and respectfully ask the Court to
2 order, as follows:

3 That the case management conference be continued to February 10,
4 2012, with a joint case management conference statement due on or
before February 3, 2012.

5 IT IS SO STIPULATED.

6 Dated: November 10, 2011 DONAHUE GALLAGHER WOODS LLP

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8 By: /s/ George J. Barron
9 _____
George J. Barron
10 Attorneys for Plaintiff
Cathryn Reid

11 Dated: November 10, 2011 BARGER & WOLEN LLP

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13 By: /s/ Dawn N. Valentine
14 _____
Martin E. Rosen
Dawn N. Valentine
15 Attorneys for Defendants
16 Lincoln National Life Insurance Co. and
Jefferson Pilot Financial Insurance Company

17 Dated: November 10, 2011 MORGAN, LEWIS & BOCKIUS LLP

18
19 By: /s/ Nicole A. Diller
20 _____
Nicole A. Diller
Angel T. Lin
21 Attorneys for Defendants
22 Accredo Health, Inc. and
Medco Health Solutions, Inc.

23 Dated: November 10, 2011 OGLETREE, DEAKINS, NASH, SMOAK &
24 STEWART, P.C.

25
26 By: /s/ Christopher M. Ahearn
27 _____
Mark Schmidtke
Christopher M. Ahearn
28 Attorneys for Defendants
Sun Life Assurance Company Of Canada

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ATTESTATION

Pursuant to General Order 45(X), I attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: November 10, 2011

DONAHUE GALLAGHER WOODS LLP

By: /s/ George J. Barron
George J. Barron

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DECLARATION OF GEORGE J. BARRON

1. I am a partner at the law firm of Donahue Gallagher Woods LLP ("Donahue"), attorneys of record for plaintiff Cathryn Reid. I am licensed to practice law in the State of California and have been admitted to practice in the Northern District of California. I have direct and personal knowledge of the facts set forth in this declaration and, if called and sworn as a witness, I would competently testify to these facts.

2. A primary reason for continuing the earlier case management conference herein was to allow sufficient time for plaintiff to make and complete the life insurance benefit claims herein. While significant progress has been made, those claims are not complete and more time is needed to do so. One insurer did conclude there was life insurance coverage as recently as seven months before Mr. Reid's death, but continues to deny the claim. Specifically plaintiffs' claims were submitted to Defendants Lincoln/Jefferson and Sun Life; each claim was denied. Plaintiff appealed the Lincoln/Jefferson denial; that appeal was denied. Plaintiff has appealed that latter denial. Plaintiff appealed the Sun Life denial; that appeal is pending. Plaintiff also discovered a third insurance company with potential coverage, Prudential, and submitted a claim to that insurer; that claim was denied. Plaintiff will appeal that denial shortly.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed this 10th day of November, 2011, at Oakland, California.

/s/ George J. Barron
George J. Barron

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~~PROPOSED~~ ORDER

Pursuant to stipulation, the Court hereby ORDERS as follows:

1. The case management conference is continued from November 18, 2011 to February 10, 2012; and

2. The joint case management conference statement is due on or before February 3, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 15, 2011


The Honorable Maxine M. Chesney
United States District Court Judge