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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
 FEBRUARY 10, 2012 TO MARCH 30, 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, the parties filed a stipulation continuing the November 18, 2011 case
17 management conference to February 10, 2012, which the Court approved on November 15, 2011;

18 WHEREAS, a primary reason for continuing the earlier case management conferences
19 was to allow sufficient time for plaintiff to make and complete the life insurance benefit claims
20 herein. Those claims procedures with the Defendant Insurers were recently completed;

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, Plaintiff suggested to Defendants that the parties engage in a formal
24 settlement conference in advance of further court proceedings;

25 WHEREAS, Defendants Accredo, Medco and Defendant Lincoln/Jefferson requested the
26 parties engage in informal settlement discussions before determining whether to enter a formal
27 settlement conference, and Defendant Sun Life does not oppose those immediate settlement
28 discussions, but is still deciding whether it will participate in them;

1 WHEREAS, all parties agree that continuing the February 10, 2012 Case Management
2 Conference to March 30, 2012 will allow the parties time to explore settlement options. If the
3 case has not settled, the parties will either request a Settlement Conference with Magistrate Judge
4 and/or ask to schedule motions and a trial date. See Declaration of George J. Barron filed
5 herewith.

6 WHEREAS, counsel for all parties have discussed their availability and determined that
7 all counsel can attend a case management conference on March 30, 2012; alternatively if that date
8 is not convenient for the Court, all counsel can attend a case management conference on March 9,
9 2012;

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

12 That the case management conference be continued to March 30,
13 2012, with a joint case management conference statement due on or
14 before March 23, 2012.

14 IT IS SO STIPULATED.

15 Dated: February 3, 2012

DONAHUE GALLAGHER WOODS LLP

17 By: /s/ George J. Barron

18 George J. Barron

19 Attorneys for Plaintiff

20 Cathryn Reid

21 Dated: February 3, 2012

BARGER & WOLEN LLP

22 By: /s/ Dawn N. Valentine

23 Martin E. Rosen

24 Dawn N. Valentine

25 Attorneys for Defendants

26 Lincoln National Life Insurance Co. and

27 Jefferson Pilot Financial Insurance Company

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Dated: February 3, 2012

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Nicole A. Diller

Nicole A. Diller
Angel T. Lin

Attorneys for Defendants
Accredo Health, Inc. and
Medco Health Solutions, Inc.

Dated: February 3, 2012

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Christopher M. Ahearn

Mark Schmidtke
Christopher M. Ahearn

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: February 3, 2012

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 appealed that denial; that appeal was denied. Plaintiff appealed the Sun Life denial; that appeal was denied. Plaintiff appealed that denial; that appeal was denied.

3. Plaintiff, Defendant Lincoln/Jefferson has agreed to engage in immediate settlement discussions and has requested Plaintiff provide a settlement demand to see if the case can be resolved. Defendant Accredo/Medco requested Plaintiff provide a settlement demand to permit it to assess its participation in settlement discussions. Defendant Sun Life does not oppose those immediate settlement discussions, but is still deciding whether it will participate in them. All parties have agreed to request the continuance of the February 10, 2012 Case Management Conference to March 30, 2012. If the case has not settled, the parties will either request a Settlement Conference with Magistrate Judge and/or ask to schedule motions and a trial date. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed this 3rd day of February, 2012, 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 February 10, 2012 to March 30, 2012; and

2. The joint case management conference statement is due on or before March 23, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 6, 2012


The Honorable Maxine M. Chesney
United States District Court Judge