

1 GEORGE J. BARRON, #53117
 2 JONATHAN MCNEIL WONG, #112224
 3 DONAHUE GALLAGHER WOODS LLP
 Attorneys at Law
 4 1999 Harrison Street, 25th Floor
 Oakland, California 94612-3520
 P.O. Box 12979
 Oakland, California 94604-2979
 5 Telephone: (510) 451-0544
 Facsimile: (510) 832-1486

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
 MAY 25, 2012 TO JUNE 15, 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, the parties filed a stipulation continuing the February 10, 2012 case
19 management conference to March 30, 2012, which the Court approved on February 6, 2012;

20 WHEREAS, the parties filed a stipulation continuing the March 30, 2012 case
21 management conference to April 20, 2012, which the Court approved on March 26, 2012;

22 WHEREAS, the parties filed a stipulation continuing the April 20, 2012 case management
23 conference to May 25, 2012, which the Court approved on April 16, 2012;

24 WHEREAS, a primary reason for continuing the earlier case management conferences
25 was to allow sufficient time for plaintiff to make and complete the life insurance benefit claims
26 herein. Those claims procedures with the Defendant Insurers were completed and settlement
27 discussions were started;

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

3 WHEREAS, Plaintiff and all Defendants have been and still are engaged in settlement
4 negotiations. Multiple offers and counteroffers have been exchanged. A settlement has been
5 reached with Defendant Accredo/Medco. Plaintiff is monetarily close to reaching a settlement
6 with a second defendant; substantial progress toward settlement has been made with the final
7 defendant. All parties request an additional three-week continuance so that the parties can
8 finalize settlement or attempt to resolve the case without further involvement of the Court;

9 WHEREAS, all parties agree that continuing the May 25, 2012 Case Management
10 Conference to June 15, 2012 will allow the parties time to explore settlement options. If the case
11 has not settled, the parties will either request a Settlement Conference with Magistrate Judge
12 and/or ask to schedule motions and a trial date. See Declaration of George J. Barron filed
13 herewith.

14 WHEREAS, counsel for all parties have discussed their availability and determined that
15 all counsel can attend a case management conference on June 15, 2012;

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

18 That the case management conference be continued to June 15,
19 2012, with a joint case management conference statement due on or
 before June 8, 2012.

20 IT IS SO STIPULATED.

21 Dated: May 17, 2012

DONAHUE GALLAGHER WOODS LLP

23 By: /s/ George J. Barron

24 George J. Barron

25 Attorneys for Plaintiff
26 Cathryn Reid

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Dated: May 17, 2012

BARGER & WOLEN LLP

By: /s/ Dawn N. Valentine

Martin E. Rosen
Dawn N. Valentine

Attorneys for Defendants
Lincoln National Life Insurance Co. and
Jefferson Pilot Financial Insurance Company

Dated: May 17, 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: May 17, 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: May 17, 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. Those claims were completed respecting the Insurer Defendants. 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. All parties have been and are still engaged in settlement negotiations. The parties have exchanged multiple offers and counteroffers. A settlement has been reached with Defendant Accredo/Medco. Plaintiff is monetarily close to reaching a settlement with a second defendant; substantial progress toward settlement has been made with the final defendant. All parties have agreed to request the continuance of the May 25, 2012 Case Management Conference to June 15, 2012, to attempt to resolve the case without further involvement of the Court. If the case does not settle, 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 17th day of May, 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 May 25, 2012 to June 15, 2012; and
2. The joint case management conference statement is due on or before June 8, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 18, 2012


The Honorable Maxine M. Chesney
United States District Court Judge