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14 Attorneys for Defendant
 Unum Life Insurance Company of America

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

20 LOUIS WILKINS,
 21 Plaintiff,
 22 vs.
 23 UNUM LIFE INSURANCE COMPANY
 OF AMERICA; HSBC NORTH
 24 AMERICA HOLDINGS, INC. LONG
 TERM DISABILITY PLAN,
 25 Defendants.
 26

Case No. 3:10-02940 JSW

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE TRIAL
 BRIEFING SCHEDULE AND TRIAL
 DATE DUE TO THE DEATH OF LEAD
 DEFENSE COUNSEL’S MINOR
 DAUGHTER**

27 IT IS HEREBY STIPULATED by and between plaintiff Louis Wilkins and defendant
 28 UNUM LIFE INSURANCE COMPANY OF AMERICA (“UNUM”), through their attorneys of

1 record, that the Trial briefing schedule and Trial date in this action be continued by thirty (30)
2 days due to the unexpected death of lead defense counsel's minor daughter, and in support of this
3 Request states as follows:

4 On January 28, 2013, the Court issued an Order Denying Cross Motions for Summary
5 Judgment and set a trial briefing schedule and trial date.

6 On February 28, 2013, Peter S. Sessions, lead counsel for Plaintiff, was called for jury
7 duty and was placed on a jury. The parties jointly requested that the Trial briefing schedule and
8 Trial date be continued due to Mr. Sessions' unavailability.

9 On March 6, 2013, the Court entered an Order modifying the Trial briefing schedule and
10 continued the Trial date. *See* Docket No. 40. Under the Court's Order, Plaintiff's Opening Trial
11 Brief was to be filed on March 15, 2012, which it was. Defendant's Responsive Trial Brief was
12 to be filed on April 5, 2013; Plaintiff's Reply Brief was to be filed on April 10, 2013; and the
13 Bench Trial was set for May 10, 2013 at 10:00 a.m.

14 On Saturday, March 30, 2013, lead defense counsel's minor daughter passed away. The
15 services were held on Wednesday, April 3, 2013.

16 For these reasons, the parties propose that the briefing and hearing schedule be continued
17 to the following dates, or the nearest convenient dates for the Court:

- 18 1. Defendant's Responsive Trial Brief due May 3, 2013;
- 19 2. Plaintiff's Reply Trial Brief due May 10, 2013;
- 20 3. Bench Trial on June 7, 2013 at 10:00 a.m., or such other date as the Court finds
21 convenient.

22 Respectfully submitted.

23 DATED: April 5, 2013

KANTOR & KANTOR, LLP

24 By: /s/ Glenn R. Kantor
25 Glenn R. Kantor
26 Peter S. Sessions
Attorneys for Plaintiff
Louis Wilkins

27 SIGNATURES CONTINUED ON
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DATED: April 5, 2013

WILSON, ELSER, MOSKOWITZ,
EDELMAN, & DICKER LLP

By: /s/ Donald P. Sullivan
Francis Torrence
Thomas M. Herlihy
Donald P. Sullivan
Attorneys for Defendant
Unum Life Insurance Company of America

[PROPOSED] ORDER

Pursuant to the Stipulation of the Parties and for good cause appearing, the Court orders that the Trial briefing schedule and Trial date in the above-captioned matter be continued as follows:

1. Defendant’s Responsive Trial Brief due on May 3;
2. Plaintiff’s Reply Trial Brief due on May 10;
3. Bench Trial on June 28 at 10:00 a.m.

IT IS SO ORDERED.

DATED: April 12, 2013


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE