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9 Attorneys for Defendants
 10 PARK AVENUE SECURITIES, LLC ;
 11 INTEGRATED FINANCIAL AND INSURANCE SERVICES, INC.,
 12 THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA,
 13 and PETER FOSTER

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 DONNA DUNCAN,
 17 Plaintiff,

18 v.

19 PARK AVENUE SECURITIES, LLC
 20 INTEGRATED FINANCIAL AND
 21 INSURANCE SERVICES, INC., THE
 22 GUARDIAN LIFE INSURANCE
 23 COMPANY OF AMERICA, PETER
 24 FOSTER, an agent of THE GUARDIAN
 25 LIFE INSURANCE COMPANY OF
 26 AMERICA, and DOES 1 to 10,
 27 Defendants.

CASE NO.: CV 10-03303 JSW

STIPULATION OF THE PARTIES TO
 CONTINUE THE NOVEMBER 12, 2010 CASE
 MANAGEMENT CONFERENCE IN THIS
 MATTER; ~~Proposed~~ ORDER

Action Filed: June 8, 2010
 Location: San Francisco

28 Plaintiff Donna Duncan ("plaintiff"), through her counsel of record Denise Eaton May, and
 29 defendants Park Avenue Securities LLC, Integrated Financial and Insurance Services, Inc., The
 30 Guardian Life Insurance Company of America, and Peter Foster (collectively "defendants") through
 31 its counsel of record, Sean P. Nalty, hereby request through this stipulation that the Case Management
 32 Conference set in this matter for November 12, 2010 at 1:30 p.m. be continued based on the following:

33 Defendants' moved to dismiss plaintiff's complaint. In an order dated October 5, 2010, the
 34 Court granted defendants' motion with leave to amend. Plaintiff filed her first amended complaint on

1 October 29, 2010. Defendants filed their motion to dismiss plaintiff's first amended complaint in its
2 entirety on November 5, 2010. The hearing date on the motion is March 11, 2011. This was the
3 Court's first available date. The Court has set a briefing schedule for the motion with the opposition
4 due November 19, 2010 and the reply brief due December 1, 2010.

5 The Parties believe that a Case Management Conference at this time is not productive given
6 the motion to dismiss plaintiff's first amended complaint filed by defendants. The Parties request that
7 the Case Management Conference, if necessary, take place shortly after the Court issues its decision
8 on defendants' pending motion to dismiss.

9 Accordingly, the parties, through their counsel of record, hereby stipulate that the Case
10 Manage Conference currently set for November 12, 2010 in this matter be continued to a date selected
11 by the Court after the decision on defendants' motion to dismiss is issued.

12 Respectfully submitted,

13 Dated: November 5, 2010 WILSON, ELSER, MOSKOWITZ, EDELMAN
14 & DICKER LLP

15 By /s/ Sean P. Nalty
16 Sean P. Nalty
17 Attorneys for Defendants
18 PARK AVENUE SECURITIES, LLC ;
19 INTEGRATED FINANCIAL AND INSURANCE
20 SERVICES, INC., THE GUARDIAN LIFE
21 INSURANCE COMPANY OF AMERICA,
22 & PETER FOSTER

23 Dated: November 5, 2010 LAW OFFICES OF DENISE EATON MAY

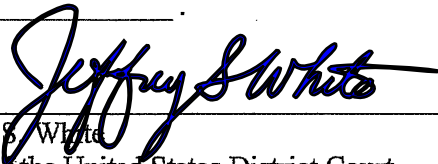
24 By /s/ Denise Eaton May
25 Denise Eaton May
26 Attorneys for Plaintiff
27 DONNA DUNCAN

~~Proposed~~ ORDER

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Based on the stipulation of the parties, and GOOD CAUSE APPEARING THEREFORE,
The Court hereby continues the November 12, 2010 Case Management Conference in this
matter to May 6, 2010 at 1:30 p.m.

Dated: November 9, 2010



Jeffrey S. White
Judge of the United States District Court