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13 Attorney for Defendant,  
 LIFE INSURANCE COMPANY OF NORTH AMERICA

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 16 UNITED STATES DISTRICT COURT FOR  
 17 THE NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION  
 19

20 ALAN POMERANTZ, )  
 21 Plaintiff, )  
 22 v. )  
 LIFE INSURANCE COMPANY OF NORTH )  
 23 AMERICA, )  
 24 Defendant. )  
 25 \_\_\_\_\_ )

Case No.:CV11-0652

**JOINT REQUEST TO PARTICIPATE IN  
 SCHEDULING CONFERENCE BY  
 TELEPHONE/~~PROPOSED~~ ORDER**

**Judge: Maxine Chesney**  
**Date: June 3, 2011**  
**Time: 10:30 a.m.**  
**Crtrm: 7, 19<sup>th</sup> Floor**

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1 Thornton Davidson, counsel for plaintiff ALAN POMERANTZ, and Sean Nalty, counsel for  
2 Defendant LIFE INSURANCE COMPANY OF NORTH AMERICA, hereby jointly request to  
3 participate in the initial Scheduling Conference in this matter by telephone. This request is made for  
4 the following reasons:

- 5 1. The Scheduling Conference is scheduled for June 3, 2011 at 10:30 a.m. in Courtroom  
6 7, before the Honorable Maxine Chesney.
- 7 2. Counsel for the parties have prepared and filed the Joint Scheduling Report
- 8 3. This request to appear by telephone is made because Plaintiff's counsel maintains his  
9 office in the City of Fresno, California, a distance of approximately 200 miles from  
10 the courthouse.

11 IT IS SO STIPULATED.

13 Date: May 20, 2011 ERISA LAW GROUP LLP  
14 By: /s/ Thornton Davidson  
15 THORNTON DAVIDSON, #166487  
16 Attorney for Plaintiff,  
17 Alan Pomerantz

18 Date: May 20, 2011 WILSON, ELSER, MOSKOWITZ,  
19 EDELMAN & DICKER LLP  
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21 /s/ Sean P. Nalty  
22 SEAN P. NALTY  
23 SHIVANI NANDA  
24 Attorneys for Defendants  
25 LIFE INSURANCE  
26 OF NORTH AMERICA

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~~PROPOSED~~ ORDER

shall  
Plaintiff's counsel, Thornton Davidson, and Defendant's counsel, Sean Nalty, ~~may~~ participate  
in the initial Scheduling Conference in this action by telephone.

Dated: May 24, 2011

  
HONORABLE MAXINE CHESNEY  
UNITED STATES DISTRICT COURT JUDGE