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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Yolanda Evans,

NO. C 11-06271 JW

Plaintiff,

SCHEDULING ORDER

v.

Bank of Am. Corp. Long Term Disability
Plan,

Defendant.

_____/

This case is scheduled for a Case Management Conference on March 26, 2012. Pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement and Proposed Order. (hereafter, "Joint Statement," Docket Item No. 10.)

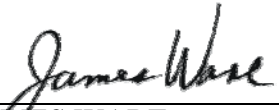
In their Joint Statement, the parties agree that this matter will likely be resolved through dispositive motions and that trial is unnecessary. (Joint Statement at 4.) In addition, the parties agree that because this is an appeal of a denial of ERISA benefits, discovery beyond initial disclosures and the administrative record is inappropriate. (Id. at 5.) The parties have already served their initial disclosures and the administrative record. (Id. at 3.)

Based on the nature of this case and that dates provided by the parties in their Joint Statement, the Court finds that a schedule can be set for this case without the necessity of an appearance at this time. Accordingly, the Case Management Conference is VACATED. The Court

1 sets **October 15, 2012, at 9 a.m.** for a hearing on the parties' anticipated cross-motions for summary
2 judgment. All motions shall be noticed and briefed in accordance with the Civil Local Rules.

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Dated: March 20, 2012



JAMES WARE
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Jennifer Lynn Marks Ghozland jghozland@gordonrees.com
3 Jordan S. Altura jaltura@gordonrees.com
4 Ronald K. Alberts ralberts@gordonrees.com
5 Timothy J. Fricker tjfricker@gmail.com

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Dated: March 20, 2012

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Susan Imbriani
Courtroom Deputy

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