

1 THE GREY LAW FIRM, PC  
2 REBECCA GREY Bar No. 194940  
3 The Russ Building  
4 235 Montgomery Street, Suite 1101  
5 San Francisco, CA 94104  
6 Telephone: (415) 262-9926  
7 Facsimile: (415) 262-9981

8 Attorneys for Plaintiff  
9 ERNIE ECHAGUE

10 SEDGWICK LLP  
11 REBECCA A. HULL Bar No. 99802  
12 ERIN A. CORNELL Bar No. 227135  
13 333 Bush Street, 30th Floor  
14 San Francisco, CA 94101-2834  
15 Telephone: (415) 781-7900  
16 Facsimile: (415) 781-2635

17 Attorneys for Defendant  
18 METROPOLITAN LIFE INSURANCE COMPANY

19 LITTLER MENDELSON  
20 ERIC BELLAFRONTO Bar No. 162102  
21 ISELA PEREZ Bar No. 267859  
22 50 West San Fernando Street, 15th Floor  
23 San Jose, CA 95113  
24 Telephone: (408) 998-4150  
25 Facsimile: (408) 288-5686

26 Attorneys for Defendants  
27 THE TRINET GROUP, INC.; THE TRINET GROUP, INC.  
28 BASIC LIFE INSURANCE PLAN; THE TRINET GROUP,  
INC. SUPPLEMENTAL LIFE INSURANCE PLAN;  
PACIFIC COAST BANKERS' BANK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERNIE ECHAGUE,  
Plaintiff,  
v.

METROPOLITAN LIFE INSURANCE  
COMPANY; TRINET GROUP, INC.;  
PACIFIC COAST BANKERS' BANK; THE  
TRINET GROUP, INC. BASIC LIFE  
INSURANCE PLAN; THE TRINET GROUP,  
INC. GROUP SUPPLEMENTAL LIFE  
INSURANCE PLAN; and DOES 1-100,  
inclusive,  
Defendants.

Case No. 3:12-cv-00640 WHO

**STIPULATION AND ORDER TO  
CONTINUE LAST DAY TO HEAR  
DISPOSITIVE MOTIONS**

1 Plaintiff Ernie Echague and defendants Metropolitan Life Insurance Company  
2 (“MetLife”), The TriNet Group, Inc. (“TriNet”), The TriNet Group, Inc. Basic Life Insurance  
3 Plan, The TriNet Group, Inc. Supplemental Life Insurance Plan (collectively “the TriNet  
4 defendants”), and Pacific Coast Bankers’ Bank (“PCBB”) (collectively “defendants”), through  
5 their respective attorneys of record, hereby agree and stipulate as follows:

6 1. On August 8, 2013, following a case management conference, the Court ordered  
7 dispositive motions to be heard on November 27, 2013. (ECF No. 83.) The Court also ordered  
8 that a bench trial will take place on February 10, 2014. (*Id.*)

9 2. Pursuant to Civil L.R. 7-2(a), because the parties’ dispositive motions will be  
10 heard on November 27, 2013, the last day for the parties to file dispositive motions is October  
11 23, 2013.

12 3. On October 1, 2013, the Court filed its Order on Discovery Dispute (ECF No.  
13 87), and ordered MetLife, TriNet, and PCBB to produce additional documents, and also arrange  
14 for the depositions for their respective 30(b)(6) witnesses, as outlined in the Court’s order.

15 4. The parties have worked diligently to obtain a protective order, pursuant to the  
16 Court’s October 1, 2013 order (ECF No. 89), to produce the additional documents pursuant to  
17 the protective order, and to schedule three 30(b)(6) witness depositions (one for MetLife, one  
18 for TriNet, and one for PCBB). Due to the availability of counsel and the witnesses, the first  
19 available date for the deposition of MetLife’s 30(b)(6) witness is November 21, 2013, after the  
20 currently-scheduled briefing is to be completed. The first available date for the deposition of  
21 TriNet’s 30(b)(6) witness is December 5, 2013, after the currently-scheduled hearing on the  
22 parties’ dispositive motions.

23 5. The parties expect that the case will be resolved in its entirety on dispositive  
24 motions. If the parties file their dispositive motions on October 23, 2013, they will necessarily  
25 need to supplement their briefs following the conclusion of the additional discovery ordered by  
26 the Court, and at this time the additional discovery will not be concluded until after the  
27 currently scheduled hearing on November 27, 2013.

28

1           THEREFORE, in order to avoid the need for supplemental briefing and in the interest of  
2 judicial economy, the parties respectfully request that the Court continue the last day to hear  
3 dispositive motions to January 22, 2014, or as soon thereafter as the matter may be heard. The  
4 parties propose that dispositive motions be filed on December 18, 2013, with oppositions due  
5 January 8, 2014, and replies due January 15, 2014.

6           This continuance will allow the parties to complete discovery and to prepare their  
7 respective dispositive motions, without the need for additional or supplemental briefing, and to  
8 make the most efficient use of the Court's time.

9           Although the parties anticipate that the case will be resolved in its entirety through  
10 dispositive motions, the parties also respectfully request that the Court continue the bench trial,  
11 which is currently set for February 10, 2014, to June 30, 2014.

12           IT IS SO STIPULATED, AGREED, AND RESPECTFULLY REQUESTED.

13 DATED: October 22, 2013           The Grey Law Firm, PC

14  
15   By: /s/ Rebecca Grey (as authorized on 10/22/2013)  
16   Rebecca Grey  
17   Attorneys for Plaintiff  
18   ERNIE ECHAGUE

19  
20 DATED: October 22, 2013           SEDGWICK LLP

21   By: /s/ Rebecca A. Hull  
22   Rebecca A. Hull  
23   Erin A. Cornell  
24   Attorneys for Defendant  
25   METROPOLITAN LIFE INSURANCE COMPANY

26  
27 DATED: October 22, 2013           LITTLER MENDELSON

28   By: /s/ Isela Perez (as authorized on 10/22/2013)  
   Eric Bellafronto  
   Isela Perez  
   Attorneys for Defendants  
   THE TRINET GROUP, INC.; THE TRINET GROUP,  
   INC. BASIC LIFE INSURANCE PLAN; THE TRINET  
   GROUP, INC. SUPPLEMENTAL LIFE INSURANCE  
   PLAN' PACIFIC COAST BANKERS' BANK

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**ORDER**

Pursuant to the stipulation of the parties and good cause found herein,

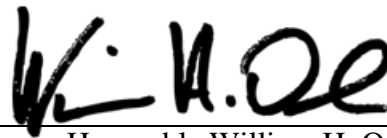
IT IS ORDERED that the hearing for the parties' dispositive motions is continued to January 22, 2014.

The parties are to file their dispositive motions on December 18, 2013. Opposition briefs are due January 8, 2014, and reply briefs are due January 15, 2014.

It is further ordered that the bench trial is continued to June 30, 2014.

IT IS SO ORDERED.

DATED: October 23, 2013



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Honorable William H. Orrick  
United States District Judge