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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 METROPOLITAN LIFE INSURANCE)
 COMPANY,)

14 Plaintiff,)

15 vs.)

16 JUMOKE O. OYEDELE,)

17 Defendant.)
 18)
 19)

CASE NO.: 12-CV-04607-EMC

The Honorable Edward M. Chen

**THE PARTIES' STIPULATION RE
 FILING OF FIRST AMENDED
 CROSS-COMPLAINT
 (COUNTERCLAIM) AND
 RESPONSE THERETO;
 [PROPOSED] ORDER**

20 Complaint Filed September 4, 2012
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1 Plaintiff and Cross-Defendant Metropolitan Life Insurance Company
2 (“MetLife”) and Defendant and Cross-Complainant Jumoke O. Oyedele (“Oyedele”),
3 hereby submit this Stipulation to allow Oyedele to file and serve a First Amended
4 Cross-Complaint (or Counterclaim) by May 28, 2013, and MetLife to respond to that
5 amended pleading within 21 days of its filing, as more fully set forth below.
6

7 WHEREAS, Oyedele filed a “Cross-Complaint” in this action on or about
8 April 12, 2013 (though the document was not served over the CM/ECF system until
9 April 16, 2013, with the Court Staff designating the document as a “Counterclaim”)
10 [Dkt. No. 28];
11

12 WHEREAS, MetLife and Oyedele appeared before the Court for a Scheduling
13 Conference on April 25, 2013, and the Court approved May 7, 2013 as the date for
14 MetLife to respond to the Cross-Complaint [Dkt. No. 30];
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16 WHEREAS, during the course of that Scheduling Conference, the parties
17 advised the Court that they would be discussing the recently-filed Cross-Complaint
18 and would try to resolve some issues that MetLife wanted to address with Oyedele
19 without the need for motion practice;
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21 WHEREAS, on May 1, 2013, the parties did discuss numerous issues that
22 MetLife had with the Cross-Complaint, and Oyedele has agreed to amend the Cross-
23 Complaint (and will from here on refer to it as a “Counterclaim”) no later than May
24 28, 2013;
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26 WHEREAS, MetLife agrees to respond to the amended Counterclaim within
27 21 days of its filing on the CM/ECF system, pursuant to FRCP 15(a)(1)(A);
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1 NOW THEREFORE, MetLife and Oyedele agree to the foregoing schedule for
2 the filing of the First Amended Counterclaim and the response thereto, and request
3 the Court to approve such scheduling change.

4
5 Dated: May 3, 2013

BARGER & WOLEN LLP

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7 By: /s/ Larry M. Golub
8 ROYAL F. OAKES
9 LARRY M. GOLUB
10 MICHAEL A.S. NEWMAN
11 JAMES C. CASTLE
12 Attorneys for Plaintiff and Cross-
13 Defendant Metropolitan Life
14 Insurance Company

15
16 Dated: May 3, 2013

17 LAW OFFICE OF STERLING
18 HARWOOD & ASSOCIATES
19 *Sterling Harwood*
20 By: /s/ Sterling Harwood
21 STERLING HARWOOD
22 Attorneys for Defendant and Cross-
23 Complainant Jumoke O. Ovedele

24
25 **[PROPOSED] ORDER**

26 **PURSUANT TO STIPULATION, IT IS SO ORDERED**, that Oyedele will
27 file her First Amended Counterclaim no later than May 28, 2013, and MetLife will
28 respond to the First Amended Counterclaim within 21 days of its filing on the
CM/ECF system.

DATED: 5/6, 2013

EDWARD M. CHEN
UNITED STATES DISTRICT COURT

