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11 Dell, Inc. Administration and Investment Committee

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16 Attorney for Plaintiff Elgin K. Cox

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 ELGIN K. COX,

20 Plaintiff,

21 vs.

22 ALLIN CORPORATION PLAN and UNUM  
23 LIFE INSURANCE COMPANY OF  
AMERICA, DELL, INC.  
24 COMPREHENSIVE WELFARE BENEFITS  
PLAN, DELL, INC., ADMINISTRATION  
25 AND INVESTMENT COMMITTEE,  
AETNA LIFE INSURANCE COMPANY,

26 Defendant.  
27

Case No. C12-5880 JCS

**SECOND STIPULATION EXTENDING  
THE TIME TO RESPOND TO  
PLAINTIFF'S COMPLAINT  
PURSUANT TO LOCAL RULE 6-1(a)**

1 TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 The parties hereto, Plaintiff Elgin K. Cox, on the one hand, and Defendants Dell Inc.  
3 Comprehensive Welfare Benefits Plan, Dell Inc. Administration and Investment Committee and  
4 Allin Corporation Plan, as well as any other Dell related entity that Plaintiff may have named or  
5 intended to name in the Complaint (collectively hereinafter "Dell Related Entities"), on the other  
6 hand, by and through their respective counsel of record, hereby stipulate as follows:

7 WHEREAS certain of the Dell Related Entities previously obtained an extension of time  
8 to and including January 10, 2013 to plead or otherwise respond to the Complaint herein (Dkt.  
9 #7);

10 WHEREAS, counsel for the Dell Related Entities has requested additional time, in light of  
11 the holidays, to investigate the facts and formulate a response of behalf of the appropriate parties;

12 WHEREAS, Local Rule 6-1(a) permits the parties to stipulate to extend the time to  
13 respond to the Complaint without a Court Order so long as doing so does not alter any deadlines  
14 set by the Court;

15 WHEREAS, Plaintiff's counsel has no objection to allowing the Dell Related Entities an  
16 additional extension of time to and including January 24, 2013 to plead or otherwise respond to  
17 the Complaint;

18 WHEREAS, this extension will not alter or impact any other Court deadline;

19 IT IS HEREBY STIPULATED that the Dell Related Entities and each of them as defined  
20 above, shall have to and including January 24, 2013 in which to plead or otherwise respond to the  
21 Complaint on file herein.

1 IT IS SO STIPULATED.

2 Dated: December 17, 2012

FARELLA BRAUN + MARTEL LLP

3  
4 By: /s/ C. Brandon Wisoff

C. Brandon Wisoff

5  
6 Attorneys for Allin Corporation Plan, Dell, Inc.  
Comprehensive Welfare Benefits Plan, and Dell  
7 Inc. Administration and Investment Committee

8  
9 Dated: December 17, 2012

THE LAW OFFICES OF LAURENCE F. PADWAY

10  
11 By: /s/ Laurence F. Padway

12 Laurence F. Padway

13 Attorney for Plaintiff Elgin K. Cox

14 **ECF CERTIFICATION**

15  
16 I, C. Brandon Wisoff, attorney for the Defendants named above, and the ECF user whose  
17 identification and password are being used to file this Stipulation, hereby attests that Laurence F.  
Padway, counsel for Plaintiff Elgin K. Cox, authorized me to file the foregoing and concurred in  
this filing.

18  
19 Dated: December 17, 2012

FARELLA BRAUN + MARTEL LLP

20  
21 By: /s/ C. Brandon Wisoff

C. Brandon Wisoff

22  
23 Attorneys for Allin Corporation Plan, Dell Inc.  
Comprehensive Welfare Benefits Plan, and Dell  
24 Administration and Investment Committee

25 Dated: 12/19/12

