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**Attorneys for Defendant  
 BANK OF AMERICA GROUP BENEFITS  
 PROGRAM**

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS CIRIELLO,

Plaintiff,

vs.

BANK OF AMERICA GROUP BENEFITS  
 PROGRAM,

Defendant.

Case No.: C 13-0430 JSW

**JOINT STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

IT IS HEREBY STIPULATED by and between plaintiff Nicholas Ciriello and defendant Bank of America Group Benefits Program, through their attorneys of record, that the Case Management Conference be continued briefly for good cause as follows:

One April 16, 2013, the court issued an Order Setting Case Management Conference for May 17, 2013 at 1:30 p.m.;

Glenn Kantor, lead counsel for plaintiff, has a long standing mediation scheduled on that date regarding another matter that would be very difficult to reschedule. The mediation is set to take place in Los Angeles, so attending the Case Management Conference and the mediation would not be possible.

As a result, the parties propose that the Case Management Conference be continued to May 31, 2013 with the Joint Case Management Conference Statement due May 24, 2013, or the nearest convenient dates for the Court.

DATED: May 9, 2013

KANTOR & KANTOR, LLP

By: /s/ Glenn R. Kantor  
Glenn R. Kantor  
Attorneys for Plaintiff  
NICHOLAS CIRIELLO

DATED: May 9, 2013

WINSTON & STRAWN LLP


By: /s/ Wood W. Lay  
Amanda L. Groves  
Wood W. Lay  
Winston & Strawn LLP  
Attorneys for Defendant  
BANK OF AMERICA GROUP  
BENEFITS PROGRAM

**ORDER**

Pursuant to the stipulation of the parties, and for good cause appearing, the Court orders that the Case Management Conference be continued to May 31, 2013 with the Case Management Statement due May 24, 2013.

IT IS SO ORDERED.

DATED: May 10, 2013

  
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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