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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12 Dan Kromat,

13 Plaintiff,

14 v.

15 Metropolitan Life Insurance Company
16 as Administrator and Fiduciary
17 of the Group Benefits Plan of Varian Medical
18 Systems, Inc., and The Group Benefits Plan
19 of Varian Medical Systems, Inc.,

20 Defendants.

ACTION NO.: 13-CV-04678 NC

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE
AND RELATED DEADLINES**

21 1. This is an ERISA long term disability case in which the Court had set the initial case
22 management conference for January 8, 2014, at 10:00 a.m.

23 2. Pursuant to the parties' request, on or about December 13, 2013, the Court
24 continued the case management conference until February 26, 2013, in order to allow the
25 parties to engage in settlement negotiations.

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28 _____
Stipulation and ~~Proposed~~ Order

1 3. The parties have been unable to conclude their negotiations because in-house
2 counsel for defendants has been, and still is, in trial.

3 4. Plaintiff's counsel expects to receive a response to his settlement demand from
4 defense counsel within the next several days.

5 5. In light of the forgoing and the parties' desire to continue their settlement discussions
6 prior to defendants having to engage outside counsel to file a formal response to the
7 complaint, the parties request that the case management conference and associated dates
8 set forth in the Court's December 13, 2013, Order be continued for approximately thirty (30)
9 additional days.

10 6. The currently scheduled and proposed dates are as follows:

| | <u>Scheduled</u> | <u>Proposed</u> |
|---|------------------|----------------------|
| 11 | | |
| 12 Meet and Confer re: 13 Initial Disclosures and ADR | 2-3-14 | 3-3-14 |
| 14 Complete Disclosures | 2-14-14 | 3-14-14 |
| 15 Case Management 16 Conference | 2-26-14 | 3-26-14 at 2:00 p.m. |

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