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9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**  
 11 **SAN FRANCISCO / OAKLAND DIVISION**

12 James BURKE	)	Case No.: 3:15-cv-03196-WHA
	)	
13 Plaintiff,	)	<b>JOINT STIPULATION TO EXTEND</b>
	)	<b>DEADLINES FOR DEFENDANT’S</b>
14 v.	)	<b>MOTION FOR SUMMARY JUDGMENT</b>
	)	<b>AND CONTINUE HEARING DATE;</b>
15 UNUM LIFE INSURANCE COMPANY OF	)	<del>PROPOSED</del> <b>ORDER GRANTING</b>
16 AMERICA	)	<b>STIPULATION</b>
	)	
17 Defendant.	)	
	)	

**JOINT STIPULATION**

21 **IT IS HEREBY STIPULATED** by and between the parties hereto that all dates related  
 22 to Defendant’s motion for summary judgment be continued by four weeks (28 days). Good  
 23 cause exists for this request because on March 15, 2016, the daughter of Plaintiff’s chief counsel,  
 24 James P. Keenley was born. Mr. Keenley intends to take family leave until April 12, 2016  
 25 to spend time with his wife and new daughter. As a result, Plaintiff requires additional time to

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26 JOINT STIPULATION TO EXTEND  
 27 DEADLINES FOR DEFENDANT’S  
 28 MOTION FOR SUMMARY  
 JUDGMENT AND CONTINUE  
 HEARING DATE; ~~PROPOSED~~  
 ORDER GRANTING STIPULATION

1 file his opposition and requests that all dates be continued by 28 days to allow this motion to be  
2 briefed and heard on the standard 35-day calendar.

3 WHEREAS, on November 24, 2015, this Court issued its Case Management Order in  
4 Denial-of-Benefits Action Under ERISA (Doc. #19), ordering that Defendant Unum Life  
5 Insurance Company of America file a Motion for Summary Judgment by **March 17, 2016**, on a  
6 35-day track (with the hearing set for **April 21, 2016**), and that Plaintiff James Burke's  
7 opposition and any request for discovery shall be filed three weeks before the hearing (**March**  
8 **31, 2016**) with any reply by Defendant filed two weeks before the hearing (**April 7, 2016**).

9 As stated above, good cause exists to permit the parties to extend the briefing deadlines  
10 and hearing date of Defendant's Motion for Summary Judgment, and no prejudice to the parties  
11 or the Court would result from such an extension.

12 WHEREFORE, the Parties stipulate as follows:

13 Defendant's Motion for Summary Judgment deadline shall be extended from **March 17,**  
14 **2016 to April 14, 2016;**

15 The deadline for Plaintiff's opposition to the Motion for Summary Judgment shall be  
16 extended from **March 31, 2016 to April 28, 2016;**

17 The deadline for Defendant's reply in support of the Motion for Summary Judgment shall  
18 be extended from **April 7, 2016 to May 5, 2016;** and

19 The hearing for Defendant's Motion for Summary Judgment shall be moved from **April**  
20 **21, 2016 to May 19, 2016.**

21 IT IS SO STIPULATED.

22 Dated: March 16, 2016

BOLT KEENLEY KIM LLP

23  
24 By: /s/ James P. Keenley  
25 James P. Keenley  
26 Attorneys for Plaintiff

1 Dated: March 16, 2016

RIMAC MARTIN, P.C.

2  
3 By: /s/ Anna Martin  
4 Anna Martin  
5 Attorneys for Defendant Unum Life  
6 Insurance Company of America  
7

8 **ORDER**

9 Having reviewed the stipulation of the parties and good cause showing, the Court hereby  
10 GRANTS the parties' stipulation to extend the deadlines regarding Defendant Unum Life  
11 Insurance Company of America's Motion for Summary Judgment as follows:

12 Defendant's Motion for Summary Judgment deadline shall be extended from **March 17,**  
13 **2016 to April 14, 2016;**

14 The deadline for Plaintiff's opposition to the Motion for Summary Judgment shall be  
15 extended from **March 31, 2016 to April 28, 2016;**

16 The deadline for Defendant's reply in support of the Motion for Summary Judgment shall  
17 be extended from **April 7, 2016 to May 5, 2016;** and

18 The hearing for Defendant's Motion for Summary Judgment shall be moved from **April**  
19 **21, 2016 to May 19, 2016.**

20 IT IS SO ORDERED.

21  
22 Dated: March 17, 2016.

23   
24 Hon. William H. Aisup  
25 United States District Court