

1 **LEWIS BRISBOIS BISGAARD & SMITH LLP**
 GREG L. JOHNSON, SB# 132397
 2 E-Mail: Greg.Johnson@lewisbrisbois.com
 TIMOTHY J. NALLY, SB# 288728
 3 E-Mail: Timothy.Nally@lewisbrisbois.com
 2020 W. El Camino Avenue, Suite 700
 4 Sacramento, California 95833
 Telephone: 916.564.5400
 5 Facsimile: 916.564.5444

6 Attorneys for Defendant UNITED
 HEALTHCARE INC.

7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10

11 DAVID BAIN, DAYNA BAIN and ALAINA
 BAIN, individuals, ,

12

Plaintiffs,

13

vs.

14

15 UNITED HEALTHCARE INC. in its capacity
 as insurer, administrator, and fiduciary of the
 Sagent Advisors Inc. Group Health Plan, and
 16 SAGENT ADVISORS INC. GROUP
 HEALTH PLAN, an ERISA-regulated welfare
 17 plan,

18

Defendants.

19

CASE NO. 3:15-cv-03305-EMC

**SECOND STIPULATION AND
 [PROPOSED] ORDER FOR
 ADDITIONAL TIME TO FILE JOINT
 DISCOVERY PLAN**

Trial Date: None Set

20

The parties do hereby stipulate and request as follows:

21

22 On October 17, 2016, the Court granted the parties' stipulation for additional time to meet
 and confer regarding discovery and submit a joint discovery plan. (See Dkt. Entry 54.) The parties
 23 met and conferred during in the intervening two weeks regarding Plaintiffs' proposed discovery
 24 requests, and exchanged proposals for resolving their discovery disputes, and those discussions are
 25 continuing

26

27 The parties are presently finalizing the joint letter prescribed by the Court in its September
 23, 2016, minute order. (Dkt. Entry 52). However, the parties regrettably will not be able to
 28 finalize the letter for filing on October 27, 2016.

1 The parties therefore agree that additional time is required in order to finalize their
2 determinations regarding what of the above-referenced discovery the parties can agree upon, and
3 what disputes they believe they will need the Court to resolve.

4 Therefore, the parties through their respective counsel do hereby stipulate and request that
5 the Court allow the parties one additional week to finalize their discussions, and order the parties
6 to file the joint discovery letter contemplated by the Court's September 23, 2016 Order (Dkt.
7 Entry 52) on or before November 3, 2016.

8 Respectfully submitted.

9 DATED: October 27, 2016

LEWIS BRISBOIS BISGAARD & SMITH LLP

12 By: /s/ Timothy J. Nally

13 Greg L. Johnson
14 Timothy J. Nally
15 Attorneys for Defendant UNITED
16 HEALTHCARE INC.

17 DATED: October 27, 2016

PHILIPS, ERLEWINE, GIVEN & CARLIN LLP
18 CREITZ & SEREBIN LLP

19 By: /s/ Joseph Creitz

20 Joseph Creitz
21 Co-Counsel for Plaintiffs DAVID BAIN, DAYNA
22 BAIN and ALAINA BAIN

23 ATTESTATION

24 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
25 document has been obtained from each of the other signatories.

26 Dated: October 27, 2016

/s/ Timothy J. Nally
27 Greg L. Johnson
28 Timothy J. Nally
Attorneys for Defendant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER UPON STIPULATION

Pursuant to the stipulation of the parties and good cause appearing, the court hereby orders that the parties shall file the joint discovery letter contemplated by Dkt. Entry 52 on or before November 3, 2016.

It is so ORDERD.

DATED: 10/28/2016

