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5 Attorneys for Plaintiff

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO/OAKLAND DIVISION

12 JUDY DITCHEY,
 13 Plaintiff,
 14 v.
 15 MECHANICS BANK, MECHANICS
 BANK CHANGE IN CONTROL PLAN,
 16 Defendants.
 17

Case No. 15-cv-4103 JCS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER RE SUPPLEMENTAL BRIEFING
 SCHEDULE**

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Stipulation and [Proposed] Order Re:
 Supplemental Briefing Schedule
 CASE NO. 15-cv-4103 JCS

1 WHEREAS the January 7, 2016 Order Re: Plaintiff’s Motion for Partial Summary
2 Judgment (ECF 30) (“MSJ Order”) orders Plaintiff and Defendants “to file supplemental briefing
3 regarding the issue of whether the Plan at issue is governed by ERISA. In particular, Plaintiff
4 shall supplement the record with evidence supporting her argument that five other key executives
5 at the Bank have similar Change in Control Plans”;

6 WHEREAS the MSJ Order directs the parties to “meet and confer, and by January 15,
7 2016, . . . file . . . a stipulation regarding the briefing schedule for the supplemental summary
8 judgment briefing”;

9 WHEREAS the parties have met and conferred, and have agreed to a briefing schedule for
10 supplemental summary judgment briefing;

11 THEREFORE, the Parties hereby request that the Court enter the following schedule for
12 supplemental briefing on Plaintiff’s Motion for Partial Summary Judgment (ECF 22): (1)
13 Defendants produce relevant documents, including Change in Control Agreements for other key
14 executives by January 15, 2016; (2) Plaintiff files her Supplemental Brief by January 25, 2016;
15 (2) Defendants file their Response by February 8, 2016; and (3) Plaintiff files her Reply by
16 February 15, 2016.

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18 Dated: January 13, 2016

Respectfully Submitted,

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20 FEINBERG, JACKSON, WORTHMAN &
WASOW LLP

21 By: /s/ Daniel Feinberg
22 Daniel Feinberg

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Attorneys for Defendants

SO ORDERED. Defendants shall produce relevant documents, including Change in Control Agreements for other key executives by January 15, 2016; Plaintiff shall file her Supplemental Brief by January 25, 2016; Defendants shall file their Response by February 8, 2016; and Plaintiff shall file her Reply by February 15, 2016.

Dated: January 14, 2016


U.S. Magistrate Judge