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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NANCY HART,

No. C 15-05392 WHA

Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY OF  
AMERICA, CATHOLIC HEALTHCARE  
WEST LONG TERM DISABILITY PLAN,  
and CATHOLIC HEALTHCARE WEST  
PENSION PLAN,

**ORDER GRANTING  
ADMINISTRATIVE MOTION  
TO SHORTEN TIME**

Defendants.

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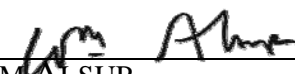
In this ERISA action, plaintiff Nancy Hart stipulated to dismiss defendants Catholic Healthcare West Long Term Disability Plan and Catholic Healthcare West Pension Plan in April and November of 2016, respectively (Dkt. Nos. 26, 40). This action then proceeded solely against defendant Unum Life Insurance Company of America. On May 24 of this year, Judge Thelton Henderson, the then-presiding judge, entered judgment in favor of Hart and against Unum (Dkt. No. 65). Unum appealed (Dkt. No. 79). Hart moved for attorney’s fees and costs plus prejudgment interest (Dkt. No. 80). After full briefing but before the hearing on Hart’s motion (originally scheduled for August 14), this action was reassigned to the undersigned judge due to Judge Henderson’s retirement (Dkt. No. 93). Instead of re-noticing her motion for fees and interest, Hart filed an administrative motion to have it heard on an expedited basis or, in the alternative, submitted without oral argument (Dkt. No. 94).

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Unum opposes the administrative motion on the bases that (1) Hart failed to comply with Civil Local Rule 6-3 because she never attempted to obtain a stipulation to shorten time, did not submit a declaration with her administrative motion, and identified no substantial harm or prejudice that would occur without the requested relief; and (2) oral argument is necessary to address new issues raised for the first time in Hart’s reply brief (Dkt. No. 95). Both points are well-taken. Unum also states, however, that it does not actually oppose an “earlier” hearing date on September 21 or 28 (*id.* at 2–3). And while Hart’s administrative motion seems to request a hearing date within 35 days, it also proposes dates all the way through October of this year, including September 21 and 28 (Dkt. No. 94 at 2). This order therefore sets Hart’s motion for fees and interest (Dkt. No. 80) for hearing on **SEPTEMBER 21 AT 8:00 A.M.** Hart’s administrative motion is **GRANTED** only to the extent stated herein.

**IT IS SO ORDERED.**

Dated: August 23, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE