

1 TO THE HONORABLE COURT:

2 The parties hereto, Plaintiff LAWRENCE GONZALES (“Plaintiff”) and Defendants
3 AETNA LIFE INSURANCE COMPANY (“Aetna”) and PRAXAIR, INC. SHORT-TERM
4 DISABILITY BENEFITS PLAN (“PLAN”), by and through their respective counsel of record,
5 hereby stipulate as follows:

6 WHEREAS, Plaintiff filed his Complaint to recover short-term disability (“STD”)
7 benefits pursuant to an employee welfare benefit plan in this Court on October 5, 2016.

8 WHEREAS, Defendants timely filed their Answer to Plaintiff’s Complaint on
9 December 22, 2016.

10 WHEREAS, Plaintiff and Defendants agreed to participate in the court-sponsored
11 mediation pursuant to ADR L.R. 6, and this Court referred the Action to mediation in its Case
12 Management Scheduling Order dated February 16, 2017.

13 WHEREAS, the Parties’ original deadline to complete mediation was May 17, 2017, and
14 the parties agreed to conduct the mediation with Arthur R. Siegel on May 3, 2017.

15 WHEREAS, the Parties submitted a joint stipulation on April 28, 2017 to request that the
16 mediation deadline be extended to June 2, 2017 as the Parties were working to confirm the
17 amount of all benefits at issue, including offsets for state disability, Social Security, and possibly
18 workers’ compensation benefits, which have different start and stop dates.

19 WHEREAS, Plaintiff has provided Defendants with documents confirming the matters
20 with state disability, Social Security, and possibly workers’ compensation benefits. However,
21 the Parties are still addressing the impact of this STD case on Plaintiff’s potential claim for
22 long-term disability (“LTD”) benefits.

23 WHEREAS, the Parties agree that they require further time to resolve the impact of this
24 STD matter on Plaintiff’s potential LTD claim to ensure that the mediation is worthwhile and
25 effective, and agree to conduct the mediation on June 27, 2017.

26 WHEREAS, this further extension of the deadline to complete mediation will not affect
27 the September 14, 2017 hearing date for cross-motions for summary judgment set by the Court’s
28 February 16, 2017 Case Management Scheduling Order.

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

1 IT IS HEREBY STIPULATED by and between Plaintiff and Defendants through their
2 respective counsel of record that the deadline to complete mediation is extended up to June 27,
3 2017.

4 IT IS SO STIPULATED.

5
6 Dated: May 25, 2017

LAW OFFICE OF JESSE S. KAPLAN

7
8 By /s/ Jesse S. Kaplan

Jesse S. Kaplan
Attorneys for Plaintiff
LAWRENCE GONZALES

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10 Dated: May 25, 2017

GORDON & REES LLP

11
12 By /s/ Tino X. Do

Jordan S. Altura
Tino X. Do
Attorneys for Defendants
AETNA LIFE INSURANCE COMPANY and
PRAXAIR, INC. SHORT-TERM DISABILITY
BENEFITS PLAN

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18 ATTESTATION OF E-FILED SIGNATURE

19 I, Tino X. Do, am the ECF user whose ID and password are being used to file this Joint
20 Stipulation to Further Extend Time to Complete Mediation. In compliance with Local Rule 5-
21 1(i), I hereby attest that Jesse S. Kaplan, counsel for Plaintiff, has concurred in this filing.

22
23 Dated: May 25, 2017

/s/ Tino X. Do

Tino X. Do

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for Plaintiff and Defendants to complete mediation is extended to June 27, 2017.

Dated: 5/26/17



UNITED STATES DISTRICT COURT JUDGE

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

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