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5 Attorneys for Defendants
 6 Metropolitan Life Insurance Company and
 Bank of America Long Term Disability Benefits Plan
 7 (erroneously sued as Bank of America Long Term Disability Plan)

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 LENA MONZON RAMOS,

12 Plaintiff,

13 v.

14 BANK OF AMERICA; METROPOLITAN
 LIFE INSURANCE COMPANY; BANK
 15 OF AMERICA LONG TERM
 DISABILITY PLAN,

16 Defendants.

CASE NO. CV 08-01375 PJH

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE DATE TO
 COMPLETE ADR AND DISCOVERY
 DATES**

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 19 Defendants Metropolitan Life Insurance Company (“MetLife”), Bank of America Long
 20 Term Disability Benefits Plan (“Plans” herein), Bank of America Group Benefits Program, and
 21 plaintiff Lena Monzon Ramos, by and through their respective attorneys of record, hereby agree
 22 and stipulate as follows:

23 1. On October 15, 2008, pursuant to Stipulation, this Court ordered that ADR be
 24 completed no later than January 13, 2009;

25 2. Following discussion, the parties are in agreement that it would be in the interests
 26 of all parties, and consistent with judicial economy, for the potential discovery and related issues,
 27 as well as substantive motions, to be deferred while the parties attempt to mediate their disputes.

28 3. The parties and mediator have conferred and have concluded that the first mutually

1 available date for mediation is January 20, 2009; and

2 4. The parties agree that if the mediation is not successful, a period of 120 days
3 thereafter would be sufficient time in which to conduct any necessary discovery procedures,
4 including potential motions.

5 WHEREFORE, the parties, by and through their respective counsel stipulate, and request
6 that the Court order, as follows:

7 STIPULATION

- 8 1. The parties agree to participate in mediation on January 20, 2009.
9 2. Mediation shall be completed no later than February 1, 2009.
10 3. Discovery, if any, including any related motions, shall be completed not
11 later than June 1, 2009.

12 IT IS SO STIPULATED.

13 DATED: December 18, 2008 SEDGWICK, DETERT, MORAN & ARNOLD LLP

14
15 By: /s/ Rebecca A. Hull

16 Rebecca A. Hull
17 Michelle Y. McIsaac
18 Attorneys for Defendants
Metropolitan Life Insurance Company and Bank of
America Long Term Disability Benefits Plan

19 DATED: December 18, 2008 THE LAW OFFICE OF JOSEPH CREITZ, P.C.

20
21 By: /s/ Joseph Creitz (as authorized on 12/18/08)

22 Joseph Creitz
23 Attorney for Plaintiff
Lena Monzon Ramos

24 DATED: December 18, 2008 ORRICK, HERRINGTON & SUTCLIFFE LLP

25
26
27 By: /s/ Kristen M. Jacoby (as authorized on 12/18/08)

28 Kristen M. Jacoby
Attorney for Defendant
Bank of America Group Benefits Program

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ORDER

Upon the stipulation of the parties, and good cause appearing, IT IS SO ORDERED.

DATED: 12/30/08

UNITED STATES DISTRICT COURT JUDGE

