

1 Richard Johnston - SBN 124524
 2 131-A Stony Circle, Suite 500
 3 Santa Rosa, California 95401
 Telephone (707) 577-7422
 Facsimile (707) 837-9532

4 Attorney for Plaintiff
 5 Linda Wren

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

<p>9 LINDA WREN,</p> <p>10 Plaintiff,</p> <p>11 vs.</p> <p>12 METROPOLITAN LIFE INSURANCE</p> <p>13 COMPANY; and Does 1 to 50 Inclusive,</p> <p>14 Defendants.</p>	<p>) Case No. C 08-3361 PJH</p> <p>) STIPULATION TO CONTINUE HEARING</p> <p>) ON PARTIAL SUMMARY JUDGMENT</p> <p>) AND [PROPOSED] ORDER THEREON</p> <p>) Date: June 3, 2009</p> <p>) Time: 9:00 a.m.</p> <p>) Courtroom: 5, 17th Floor</p> <p>) Hon. Phyllis J. Hamilton</p>
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17 The parties in this action, through their respective counsel of record, hereby stipulate as

18 follows:

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20 1. That the hearing on the Motion for Partial Summary Judgment filed on April 29,

21 2009, by defendant Metropolitan Life Insurance Company, be continued to June 24, 2009, and

22 that the due dates for the parties' briefing be continued accordingly, such that plaintiff's

23 opposition papers are to be filed no later than June 3, 2009, and defendant's reply papers are

24 to be filed no later than June 10, 2009. The parties agree that the stipulated continuance will

25 facilitate settlement discussions between the parties which may resolve the case and moot the

26 pending partial summary judgment motion, and that proceeding with the motion as currently

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STIPULATION TO CONTINUE HEARING ON
 PARTIAL SUMMARY JUDGMENT MOTION AND
 PROPOSED ORDER THEREON

1 scheduled would likely impede and render more difficult efforts at settlement.

4 Dated: May 12, 2009

5 /s/
Richard Johnston
6 Attorney for Plaintiff
Linda Wren

8 Dated: May 12, 2009

Barger & Wolen LLP
9 /s/
10 By: Michael A.S. Newman
Attorneys for Defendant
11 Metropolitan Life Insurance Company

12 **[Proposed] Order**

13 The court, having considered the foregoing stipulation and good cause appearing
14 therefore,

15 IT IS ORDERED that the hearing on defendant Metropolitan Life Insurance Company's
16 pending partial summary judgment motion, originally noticed for June 3, 2009, is continued to
17 June 24, 2009, at 9:00 a.m. Plaintiff's opposition papers are to be filed no later than June 3,
18 2009, and defendant's reply papers are to be filed no later than June 10, 2009.

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20 Dated: May 15, 2009

