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13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

16 STEVEN SMYRNI,  
 17 Plaintiff,

18 v.

19 US INVESTIGATIONS SERVICES, LLC  
 PLAN,

20 Defendant.

23 LIFE INSURANCE COMPANY OF NORTH  
 AMERICA,

24 Real Parties in Interest.

CASE NO. C08-04360 PJH (MEJ)

STIPULATION AND  
~~Proposed~~ ORDER CONTINUING  
 OMNIBUS MOTION AND NOTIFICATION  
 OF SETTLEMENT OF MOTION FOR FEES

Date: December 3, 2009  
 Time: 10:00 a.m.

Hon. Maria-Elena James

26 Whereas the parties have reached a settlement on plaintiff’s motion for fees; and  
 27 Whereas the parties wish to continue plaintiff’s omnibus motion in order to discuss  
 28 resolution of this matter, and continue the due date for plaintiff’s reply memorandum; and

1 Now, therefore, the parties stipulate to continue plaintiff's omnibus motion until January  
2 14, 2010 and plaintiff's reply brief due date to December 31, 2009.

3 IT IS SO STIPULATED.

4  
5 Dated: November 5, 2009

6  
7 /s/  
8 Laurence F. Padway  
9 Attorney for plaintiff

/s/  
Sean P. Nalty  
Wilson, Elser, Moskowitz,  
Edelman and Dicker, LLP

10 ~~Proposed~~ Order

11 On stipulation of the parties, it is ordered that plaintiff's omnibus motion is  
12 continued to January 14, 2010 at 10:00 a.m. Plaintiff's reply brief due date is extended to  
13 December 31, 2009.

14  
15 November 12, 2009

16   
17 Hon. Maria F. James  
18 Judge of the United States District Court