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6 Attorneys for Defendants
 STANDARD INSURANCE COMPANY and THE
 7 LUCASFILM LTD. GROUP LONG TERM
 DISABILITY PLAN
 8

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

13 **BRENT OSTER,**
 14 **Plaintiff,**
 15 **v.**
 16 **STANDARD INSURANCE COMPANY;**
 17 **THE LUCASFILM LTD. GROUP**
 18 **LONG TERM DISABILITY PLAN; and**
 19 **DOES 1 through 20, inclusive,**
 20 **Defendants.**

Case No. C 09-00851 (SBA)
JOINT STIPULATION REGARDING
BENEFITS AND ORDER

1 Plaintiff Brent Oster and Defendants Standard Insurance Company (“Standard”) and The
2 Lucasfilm Ltd. Group Long Term Disability Plan (the “Disability Plan”), each through their
3 respective counsel of record, hereby stipulate as follows:

4 WHEREAS on October 8, 2010, the Court filed under seal Findings of Fact and
5 Conclusions of Law (the “Order”), reversing Standard’s claim decision and ordering the parties to
6 (1) “meet and confer in an effort to reach a stipulation regarding the amount of benefits owed
7 under the Policy, including consideration of any applicable offsets” and (2) “submit such a
8 stipulation, or ... each submit an additional brief, not to exceed five (5) pages (excluding any
9 supporting declaration(s)), addressing the amount of benefits owed under the Policy” by October
10 29, 2010;

11 WHEREAS on October 25, 2010, the Court granted the parties’ Joint Stipulation
12 Regarding Schedule for Parties’ Benefits Calculation (Docket No. 93), extending the deadline to
13 for the parties to “reach a stipulation regarding the amount of benefits owed under the Policy” to
14 November 30, 2010;

15 WHEREAS as required by the Order, the parties have met and conferred to arrive at the
16 calculation of benefits based on Plaintiff’s financial documents and the requirements of the Plan
17 Policy;

18 WHEREAS Defendants seek to comply with the Court’s order without accepting or
19 acknowledging that Standard’s decision was an abuse of discretion or in any way erroneous or
20 improper, or that Plaintiff is entitled to any additional benefits; and while preserving their right to
21 appeal the Order and argue that Standard’s claim decision, including its benefits determination,
22 should stand;

23 THEREFORE, the parties hereby stipulate that, assuming the Court’s decision reversing
24 Standard’s claim decision was proper and benefits are owed to Plaintiff (which Defendants
25 dispute and preserve their right to appeal), Plaintiff is owed benefits in the amount of \$153,973.77
26 for benefits from July 7, 2004 to April 13, 2008, and that no further benefits are due under the
27 Policy and Plaintiff’s claim is closed as of April 13, 2008.

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IT IS SO STIPULATED.

Dated: November 30, 2010

Respectfully submitted,

JONES DAY

By: /s/ Chantelle C. Egan
Chantelle C. Egan

Attorneys for Defendants
STANDARD INSURANCE COMPANY and
THE LUCASFILM LTD. GROUP LONG
TERM DISABILITY PLAN

In accordance with General Order No. 45, Section X(B), the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: November 30, 2010

Respectfully submitted,

PILLSBURY & LEVINSON

By: /s/ Brian H. Kim
Brian H. Kim

Attorneys for Plaintiff
BRENT OSTER

AS STIPULATED, IT IS SO ORDERED.

Dated: 12/15/10

Sandra B. Armstrong
Honorable Sandra B. Armstrong
United States District Judge