

1 Arnold R. Levinson (State Bar No. 066583)
 Terrence J. Coleman (State Bar No. 172183)
 2 Brian H. Kim (State Bar No. 215492)
 PILLSBURY & LEVINSON, LLP
 3 The Transamerica Pyramid
 600 Montgomery St., 31st Floor
 4 San Francisco, California 94111
 Telephone: (415) 433-8000
 5 Facsimile: (415) 433-4816
 Email: alevinson@pillsburylevinson.com
 6 tcoleman@pillsburylevinson.com
 bkim@pillsburylevinson.com

7 Attorneys for Plaintiff
 8 CHARLES A. MARTORELLO

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

13 CHARLES A. MARTORELLO,)
)
 14 Plaintiff,)
)
 15 vs.)
)
 16 SUN LIFE ASSURANCE COMPANY OF)
 CANADA; HILTI, INC. LONG TERM)
 17 DISABILITY PLAN; and DOES 1-20, inclusive,)
)
 18 Defendants.)

Case No. CV 09-912 PJH
**JOINT STIPULATION AND [PROPOSED]
 ORDER EXTENDING TIME TO FILE
 OPPOSITION AND REPLY PAPERS TO
 PLAINTIFF'S MOTION FOR
 ATTORNEY'S FEES, LITIGATION
 EXPENSES AND PREJUDGMENT
 INTEREST**

19
 20 **JOINT STIPULATION**

21 Plaintiff Charles A. Martorello and Defendant Sun Life Assurance Company of Canada have
 22 agreed to settle Plaintiff's Motion for Attorney's Fees, Litigation Expenses and Prejudgment Interest,
 23 set for a hearing on July 28, 2010, in full through a confidential settlement. The parties expect a
 24 settlement agreement will be finalized and executed by July 9, 2010 and the settlement amount paid by
 25 July 16, 2010. In order to allow the parties to finalize and execute the settlement agreement, the
 26 parties hereby stipulate to extend the deadline for Defendant's Opposition to the Motion to July 12,
 27 2010, and to extend the deadline for Plaintiff to file his Reply papers to July 16, 2010.

1 Dated: July 1, 2010

PILLSBURY & LEVINSON, LLP

2
3 By: /s/ Brian H. Kim

4 Arnold R. Levinson
5 Terrence J. Coleman
6 Brian H. Kim
7 Attorneys for Plaintiff
8 CHARLES A. MARTORELLO\

9 Dated: July 1, 2010

SQUIRES, SANDERS & DEMPSEY, LLP

10 By: /s/ Robert J. Guite

11 Robert J. Guite
12 Attorneys for Defendants
13 SUN LIFE ASSURANCE COMPANY OF
14 CANADA

15 **PROPOSED ORDER**

16 Per the parties' stipulation, IT IS ORDERED that the deadline for Defendant Sun Life
17 Assurance Company's Opposition to Plaintiff's Motion for Attorney's Fees, Litigation Expenses and
18 Prejudgment Interest shall be continued to July 12, 2010, and Plaintiff Charles A. Martorello's Reply
19 papers in support of the Motion shall be continued to July 16, 2010.

20 **IT IS SO ORDERED.**

21 DATED: 7/9/10 _____

