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 Inc.
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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **OAKLAND DIVISION**
 11

12 TARANTINOS, INC., and MACMARIN,
 13 INC.,

14 Plaintiffs,

15 vs.

16 CONSECO LIFE INSURANCE COMPANY,
 JOHN S. LEIPSIC, INC.; and DOES ONE
 through TEN,
 17

18 Defendants.

CASE NO. CV 09 1974 SBA

**STIPULATION AND ORDER
 EXTENDING DEADLINE TO FINALIZE
 SETTLEMENT**

Trial Date: None set

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 20 WHEREAS this matter, which seeks reinstatement of life insurance policies, has been
 21 settled in principle,

22 WHEREAS the parties so informed the Court and on September 17, 2009, this Court
 23 issued an order dismissing the case with prejudice, but providing that "In the event that the
 24 settlement is not reached, any party may move to reopen the case and the trial will be rescheduled,
 25 provided that such motion is filed within 45 days of this order", (Docket No. 35, the "Order")

26 WHEREAS the forty-five days provided in the Order during which a motion to reopen the
 27 case may be filed will expire on November 1, 2009,

1 WHEREAS the parties remain agreed in principle, but the parties are still evaluating issues
2 concerning the payment of premiums that must be determined before a formal settlement
3 agreement can be signed, and

4 WHEREAS, the parties believe that they will require an additional thirty (30) days to reach
5 a final, formal settlement,

6 THEREFORE the parties stipulate and request the Court to issue an order extending the
7 forty-five (45) day period to request reinstatement in compliance with the Order an additional
8 thirty (30) days until December 1, 2009.


9 DATED: October ____, 2009 BRADLEY ARANT BOULT CUMMINGS LLP

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11 By: /s/ Jason A. Waters
12 Jason A. Walters
13 Attorneys for Conseco Insurance Company.

14 DATED: October ____, 2009 COOPER, WHITE & COOPER LLP

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16 By: /s/ Stephen Kaus
17 Stephen Kaus
18 Attorneys for Tarantinos, Inc. and MacMarin,
19 Inc.

20 So ordered,

21 DATED: October_26, 2009
22 
23 SAUNDRA BROWN ARMSTRONG
24 United States District Judge