

LAW OFFICES OF LAURENCE F. PADWAY
 LAURENCE F. PADWAY Bar No. 89314
 lp@padway.com
 1516 Oak Street, Suite 109
 Alameda, CA 94501
 Telephone: (510) 814-0680
 Facsimile: (510) 814-0650

Attorneys for Plaintiff
 Gary E. Affonso

SEDGWICK LLP
 REBECCA A. HULL Bar No. 99802
 rebecca.hull@sedgwicklaw.com
 ERIN A. CORNELL Bar No. 227135
 erin.cornell@sedgwicklaw.com
 One Market Plaza, Steuart Tower, 8th Floor
 San Francisco, CA 94105-1008
 Telephone: (415) 781-7900
 Facsimile: (415) 781-2635

Attorneys for Defendants
 Metropolitan Life Ins. Co.; Morgan Stanley Benefits Plan

LAW OFFICES OF STEVEN A. ELLENBERG
 MARK BOENNIGHAUSEN Bar No. 142147
 mark@ellenberglawoffices.com
 4 North Second Street, Suite 1240
 San Jose, CA 95113-1308
 Telephone: (408) 998-8500
 Facsimile: (408) 998-8503

Attorneys for Defendant
 Morgan Stanley & Co., Inc.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

GARY E. AFFONSO,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
 COMPANY; MORGAN STANLEY SMITH
 BARNEY LLC (APPEARING AS MORGAN
 STANLEY & CO., INC.); and MORGAN
 STANLEY & CO., INCORPORATED, BASIC
 AND SUPPLEMENTAL LIFE INSURANCE
 PLAN: 501,

Defendants.

Case No. C 10-05054 PJH

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING BRIEFING AND
 HEARING SCHEDULE FOR
 DISPOSITIVE MOTIONS**

1 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:
2 SO STIPULATED AND RESPECTFULLY REQUESTED:
3

4 Whereas, Plaintiff's withdrawal of his currently pending Motion for Summary Judgment
5 and his new/substituted motion for summary judgment is due on November 3, 2011;

6 Whereas, counsel for plaintiff, Laurence F. Padway, has had a death in the family and has been
7 called away from the office to take care of family matters; and

8 Now, therefore, the parties stipulate to the following briefing schedule on the dispositive
9 motions as follows:

10 Plaintiff's opening brief: November 14, 2011

11 Defendants' joint cross-motion and opposition: December 12, 2011

12 Plaintiff's opposition and reply: January 2, 2012

13 Defendants' joint reply: January 17, 2011

14 Hearing: February 1, 2012 at 9:00 a.m.

15
16 DATED: November 3, 2011 LAW OFFICES OF LAURENCE F. PADWAY

17
18 By: /s/
19 Laurence F. Padway
20 Attorneys for Plaintiff
Gary E. Affonso

21 DATED: November 3, 2011 SEDGWICK LLP

22
23 By: /s/
24 Rebecca A. Hull
25 Erin A. Cornell
26 Attorneys for Defendants
27 Metropolitan Life Insurance Company; Morgan Stanley
28 Benefits Plan

1 DATED: November 3, 2011 LAW OFFICES OF STEVEN A. ELLENBERG

2
3 By: _____/s/
4 Mark Boennighausen
5 Attorneys for Defendant
6 Morgan Stanley & Co., Inc.

7 **ORDER**

8 It is so ordered. The briefing schedule set forth in the parties' stipulation is adopted, and
9 the hearing on the cross-motions for judgment shall be held on February 1, 2012 at 9:00 a.m.

10 DATED: 11/7/11

