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5 Attorneys for Defendants
6 AETNA LIFE INSURANCE COMPANY and
FEDERAL RESERVE BANK OF SAN FRANCISCO

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION

11 SANDRA STAPLETON,

12 Plaintiff,

13 vs.

14 AETNA LIFE INSURANCE COMPANY,
15 FEDERAL RESERVE BANK OF SAN
16 FRANCISCO, AND FEDERAL RESERVE
SYSTEM,

17 Defendants.

Case No. CV10- 05173 SBA

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DEADLINES IN
CASE**

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19 WHEREAS, on November 16, 2010, Plaintiff Sandra Stapleton filed the Complaint in this
20 action against Defendant Aetna Life Insurance Company (“Aetna”) seeking long-term disability
21 benefits pursuant to the Federal Reserve Bank of San Francisco’s long-term disability plan;

22 WHEREAS, on November 19, 2010, the Court set the initial Case Management Conference
23 for March 10, 2011 at 2:30 p.m., to be conducted via telephone;

24 WHEREAS, on December 20, 2010, Aetna and Ms. Stapleton filed a Stipulation under
25 Local Rule 6-1(a) extending the time in which Aetna had to respond to the Complaint to
26 January 20, 2011;

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1 WHEREAS, on January 20, 2011, Aetna and Ms. Stapleton filed a Stipulation and
2 Proposed Order further extending the deadline for Aetna to respond to the Complaint to
3 February 22, 2011, which was entered by the Court on January 26, 2011;

4 WHEREAS, on February 18, 2011, Aetna and Ms. Stapleton filed a Stipulation and
5 Proposed Order selecting private mediation as the parties' form of ADR process, with the parties
6 also having agreed to conduct the mediation on March 18, 2011 before Michael J. Loeb, Esq., at
7 JAMS in San Francisco;

8 WHEREAS, on February 18, 2011, Ms. Stapleton filed an Amended Complaint adding the
9 "Federal Reserve Bank of San Francisco" and the "Federal Reserve System" as Defendants to the
10 action (collectively, the "Federal Reserve Defendants");

11 WHEREAS, the Federal Reserve Bank of San Francisco has waived service of the
12 Amended Complaint and has agreed to participate in the mediation set for March 18, 2011;

13 WHEREAS, Defendants contend that the Amended Complaint raises issues concerning (a)
14 whether the proper defendants are named, (b) whether the Federal Reserve Bank of San
15 Francisco's long-term disability plan is governed by ERISA or other law, and (c) whether Plaintiff
16 has adequately stated any claim – all issues that likely would be the subject of a Rule 12 motion if
17 Aetna and the Federal Reserve Defendants are required to respond to the Amended Complaint;

18 WHEREAS, in the interests of economy, Aetna, the Federal Reserve Bank of San Francisco
19 and Ms. Stapleton now wish to continue all dates in the action in order to allow the parties to try to
20 resolve the case through the scheduled March 18 mediation and without incurring legal costs
21 associated with motion practice, initial disclosures and attending a case management conference.

22 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that all dates
23 in the action shall be and hereby are extended as follows:

24 1. Aetna and the Federal Reserve Bank of San Francisco shall have until April 25,
25 2011 to respond to the Amended Complaint;

26 2. The Case Management Conference presently set for March 10, 2011 shall be
27 vacated and reset for May 31, 2011, or such other date as the Court may order;

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1 3. The parties shall complete initial disclosures and submit a Joint Case Management
2 Statement on or before May 24, 2011, or such other date as the Court may order.

3 Except to the extent noted above, this request for a continuance will not alter any other
4 dates or deadlines set by Court order.

5 DATED: March 2, 2011

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7 By: /s/Robert F. Schwartz
8 Robert F. Schwartz
9 Attorneys for Defendant Aetna Life Insurance
Company and Federal Reserve Bank of San
Francisco

10 DATED: March 2, 2011

KLETTER LAW FIRM

12 By: /s/Cary Kletter
13 Cary Kletter
14 Attorneys for Plaintiff

15 I attest that my firm has obtained Mr. Kletter's concurrence in the filing of this document.

16 DATED: March 2, 2011

TRUCKER ♦ HUSS

18 By: /s/Robert F. Schwartz
19 Robert F. Schwartz
20 Attorneys for Defendant

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ORDER


PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT:

1. Aetna and the Federal Reserve Bank of San Francisco shall have until April 25, 2011 to respond to the Amended Complaint.

2. The March 10, 2011 telephonic Case Management Conference is CONTINUED to June 15, 2011 at 2:45 p.m. The parties shall complete initial disclosures and submit a Joint Case Management Statement on or before June 8, 2011. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

DATED: 3/4/11



Honorable Saundra Brown Armstrong, Judge
United States District Court Northern District of
California