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THE PRUDENTIAL INSURANCE COMPANY
 OF AMERICA

**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

Linda DOLAN,

Plaintiff,

v.

THE PRUDENTIAL INSURANCE
 COMPANY OF AMERICA, a New Jersey
 corporation,

Defendant.

) Case No.: CV 11-1562 (PJH)

)

) **STIPULATION REGARDING**
) **DISCOVERY AND THE STANDARD OF**
) **REVIEW; [PROPOSED] ORDER**
) **APPROVING STIPULATION**

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2 WHEREAS, on September 1, 2011, the parties participated in a case management
3 conference during which the Court ordered the parties to resolve issues pertaining to the
4 applicable standard of review in 60 days; and

5 WHEREAS, the parties have met and conferred regarding the standard of review and
6 related issues and have reached an agreement as to the applicable standard of review and scope
7 of discovery;

8 IT IS THEREFORE STIPULATED AS FOLLOWS:

9 The parties agree that the Court should apply a *de novo* standard of review to Plaintiff's
10 claim and, if this stipulation is approved by the Court, that no discovery will be conducted. The
11 parties reserve the right to bring evidentiary motions related to the content of the administrative
12 record within the motions deadline already established by the Court.

13
14 Dated: November 1, 2011

BOLT · KEENLEY - ATTORNEYS AT LAW

15
16 By: /s/ James P. Keenley
17 James P. Keenley
18 *Attorneys for Plaintiff*

19 Dated: November 1, 2011

MESERVE, MUMPER & HUGHES LLP

20 By: /s/ Allison Vana
21 Linda M. Lawson
22 Allison Vana
23 *Attorneys for Defendant*
24 THE PRUDENTIAL INSURANCE
25 COMPANY OF AMERICA
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1 **~~PROPOSED~~ ORDER APPROVING STIPULATION**

2 The Court, having considered the submissions of the parties and good cause showing,
3 approves the parties' stipulation as to the appropriate standard of review and scope of discovery.
4 The Court will apply a *de novo* standard of review to Plaintiff's claim and there will be no
5 discovery by either party.

6 IT IS SO ORDERED.

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8 Dated: 11/3/11 _____

