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 21 METROPOLITAN LIFE INSURANCE COMPANY
 22 and THE SHAW GROUP INC. LONG TERM
 23 DISABILITY PLAN

24 UNITED STATES DISTRICT COURT
 25 NORTHERN DISTRICT OF CALIFORNIA

26 SUSAN CARNAHAN,
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 28 Plaintiff,
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 30 v.
 31 METROPOLITAN LIFE INSURANCE
 32 COMPANY; THE SHAW GROUP INC.
 33 LONG TERM DISABILITY PLAN,
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 35 Defendant.

CASE NO: CV 11-03064-SBA

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE HEARING DATE
 ON PLAINTIFF’S AND DEFENDANTS’
 MOTIONS FOR JUDGMENT TO ALLOW
 ADDITIONAL BRIEFING REGARDING
 THE DEPOSITION OF GREGORY
 HAFNER**

1 WHEREAS, on June 8, 2012, plaintiff and defendants each filed a Motion for Judgment;
2 WHEREAS, on July 2, 2012, plaintiff filed a Motion to Strike the Declaration of Gregory
3 Hafner or in the alternative a Request to Reopen Discovery;

4 Whereas on July 23, 2012, the Court ordered that the hearing on the Motions for
5 Judgment be continued to October 23, 2012;

6 WHEREAS on July 25, 2012 the court referred plaintiff's motion to the Chief Magistrate
7 Judge for a report and recommendation;

8 WHEREAS on September 28, 2012 Magistrate Judge Nathanael Cousins denied
9 plaintiff's Motion to Strike but recommended the reopening of discovery for the limited purpose
10 of allowing plaintiff to depose Gregory Hafner;

11 WHEREAS on October 18, 2012 the court issued Order Accepting Report and
12 Recommendation order on the Recommendation; and

13 WHEREAS plaintiff has taken the deposition of Gregory Hafner (on November 30,
14 2012) and the parties have agreed that it is necessary to submit additional briefing regarding this
15 deposition;

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1 NOW THEREFORE, IT IS HEREBY AGREED AND STIPULATED, subject to the
2 Court's approval, the parties agree, and respectfully request that the Court continue the hearing
3 date on both plaintiff's and defendants' Motions for Judgment currently scheduled for December
4 14, 2012, to allow additional briefing regarding the deposition of Gregory Hafner. The parties
5 propose the following schedule:

6 Plaintiff's Supplemental Brief due: January 14, 2013

7 Defendants' Supplemental Brief due: January 28, 2013

8 Hearing on Motions for Summary Judgment: February 12, 2013 or such other date as
9 the Court might order.

10 DATED: December 5, 2012 KANTOR & KANTOR LLP

11
12 By: /s/ Glenn R. Kantor
13 Glenn R. Kantor
14 Beth A. Davis
Attorneys for Plaintiff
SUSAN CARNAHAN

15 DATED: December 5, 2012 SEDGWICK LLP

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17 By: /s/ Erin Cornell
18 Rebecca Hull
19 Erin Cornell
20 Attorneys for Defendants
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DISABILITY PLAN

