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 22 and THE SHAW GROUP INC. LONG TERM
 23 DISABILITY PLAN

24 UNITED STATES DISTRICT COURT
 25 NORTHERN DISTRICT OF CALIFORNIA

26 SUSAN CARNAHAN,
 27
 28 Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
 COMPANY; THE SHAW GROUP INC.
 LONG TERM DISABILITY PLAN,
 Defendant.

CASE NO: CV 11-03064-SBA

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE PARTIES'
 BRIEFING DATES ON MOTION FOR
 JUDGMENT BY ONE WEEK DUE TO
 ILLNESS OF DEFENDANTS' COUNSEL**

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;

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;

16 WHEREAS on December 11, 2012, the Court ordered that the parties resubmit their
17 opening cross-motions for judgment to include any additional issues, to be filed on or before
18 January 22, 2013; and

19 WHEREAS the primarily responsible attorney for defendants currently is ill and unable
20 to work, and is not expected to be able to return to work until at least January 22, 2013; and

21 WHEREAS defendants' other attorney is unable to complete the brief for defendants due
22 to an appellate brief that must be completed in the same time frame;

23 NOW THEREFORE, IT IS HEREBY AGREED AND STIPULATED, subject to the
24 Court's approval, the parties agree, and respectfully request that the Court continue the briefing
25 dates set by the Court on December 11, 2012, for a period of one week, to permit defendants'
26 counsel to complete defendants' revised brief, while maintaining the currently scheduled hearing
27 date as most recently set by the Court. Pursuant to such stipulation, the parties propose the
28

1 following revised schedule:

2 Revised opening briefs due: January 29, 2013

3 Opposition briefs due: February 17, 2013

4 Hearing on Cross-Motions for Judgment: March 12, 2013 or such other date as the Court
5 might order.

6 DATED: January 17, 2013

KANTOR & KANTOR LLP

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

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DATED: January 17, 2013

SEDGWICK LLP

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By: /s/ Rebecca Hull
Rebecca Hull
Erin Cornell
Attorneys for Defendants
METROPOLITAN LIFE INSURANCE
COMPANY and THE SHAW GROUP INC. LONG
TERM DISABILITY PLAN

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ORDER

IT IS HEREBY ORDERED THAT the Court, having considered the joint stipulation of counsel, and good cause appearing therefore, hereby grants the parties requests as follows:


Revised opening briefs due: January 29, 2013;

Opposition briefs: February 19 ____, 2013;

Hearing on Cross-Motions for Judgment: March 1~~3~~¹² 2013, at 1:00 p.m.

IT IS SO ORDERED

DATE: 1/17/13



SAUNDRA BROWN ARMSTRONG
United States District Judge