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7 Attorneys for Defendant
 8 CERTAIN UNDERWRITERS, LLOYD’S LONDON,
 9 SUBSCRIBING TO POLICY NO. NA0425007-07-01

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 PETER BENAVENTE,)	CASE NO. 11-cv-05270-PJH
)	
13 Plaintiff,)	STIPULATION IN SUPPORT OF STAY
)	AND
14 v.)	[PROPOSED] ORDER THEREON
)	
15)	
16 CERTAIN UNDERWRITERS, LLOYD’S)	
17 LONDON, SUBSCRIBING TO POLICY)	
18 NO. NA0425007-07-01, and DOES 1)	
through 50, Inclusive,)	
)	
19 Defendants.)	
)	

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 21
 22 Plaintiff PETER BENAVENTE and Defendant CERTAIN UNDERWRITERS, LLOYD’S
 23 LONDON, SUBSCRIBING TO POLICY NO. NA0425007-07-01 (referred to herein as “plaintiff”
 24 and “defendant”), by and through their respective attorneys, hereby stipulate to stay this matter for
 25

1 150 days so that plaintiff may complete his administrative appeal of the decision to deny his
2 permanent disability claim under his Occupational Accident Disability Plan.

3 Good cause exists for the parties' request for a stay in that, after the initial denial of
4 plaintiff's permanent disability claim, the parties have agreed to complete an administrative
5 appeals process. Defendant has advised plaintiff that it will reassess his claim through the
6 appeals process. The appeal process could take over 120 days and could result in the payment of
7 plaintiff's claim. As such, the parties request a stay of 150 days to complete this process.

8 **SO STIPULATED.**

9
10 **TEAL, MONTGOMERY & HENDERSON**

11 Dated: January 23, 2012

By: /s/ Michael S. Henderson
MICHAEL S. HENDERSON
Attorneys for Plaintiff
PETER BENAVENTE

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15 **RIMAC MARTIN, P.C.**

16 Dated: January 23, 2012

By: /s/ William Reilly
WILLIAM REILLY
Attorneys for Defendant
CERTAIN UNDERWRITERS, LLOYD'S LONDON,
SUBSCRIBING TO POLICY NO. NA0425007-07-01


1 **ORDER**

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3 The parties having stipulated thereto and good cause appearing, IT IS HEREBY ORDERED
4 that this matter be, and hereby is, STAYED to allow the parties to pursue an alternative to litigation
5 through the administrative appeals process. The case is stayed until 6/21/12.

6 IT IS FURTHER ORDERED that the Case Management Conference in this matter,
7 is continued to 6/28/12 at 2:00 p.m., but will be vacated if matter
8 scheduled for February 9, 2011, ~~be taken off calendar.~~ is resolved before that date.

9 **SO ORDERED.**

10 DATED: 1/24/12

11  UNITED STATES DISTRICT COURT JUDGE