

1                                    IN THE UNITED STATES DISTRICT COURT  
2                                    FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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4  
5 ANGELA VALENTINE,

No. 12-00647 CW

6                                    Plaintiff,

CASE MANAGEMENT  
ORDER

7                                    v.

8 UNUM LIFE INSURANCE COMPANY OF  
9 AMERICA; and CATHOLIC HEALTHCARE  
WEST LONG TERM DISABILITY PLAN,

10                                   Defendants.  
11 \_\_\_\_\_/

12                                   A case management conference is not required in this ERISA  
13 case. The Case Management Statement and Proposed Order filed by  
14 the parties are hereby adopted by the Court as the Case Management  
15 Order for the case, except as noted below.

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17                                   The case is hereby referred to court connected mediation for  
18 alternative dispute resolution, to be held by August 31, 2012.

19                                   The parties do not intend to amend their pleadings. Initial  
20 disclosures shall be made by June 15, 2012.

21                                   Plaintiff may seek discovery informally from Defendant, which  
22 Defendant shall provide if the requests are not burdensome. If  
23 the parties cannot agree, the parties may file a joint discovery  
24 letter brief and the Court will refer discovery to a magistrate  
25 judge. Any discovery shall be completed by December 14, 2012. If  
26 Plaintiff wishes to supplement the Administrative Record,  
27 Plaintiff shall attempt to obtain a stipulation from Defendant to  
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1 do so. If the parties cannot agree on supplemental evidence,  
2 Plaintiff may include a request to supplement the Administrative  
3 Record in the brief on the motion for judgment, submitting the  
4 proposed supplemental evidence with a declaration.

5 The case shall be resolved on cross-motions for judgment  
6 pursuant to Rule 52 of the Federal Rules of Civil Procedure and  
7 Kearney v. Standard Insurance, 175 F.3d 1084 (9th Cir. 1999). The  
8 briefs shall address the scope of review and whether the Court's  
9 review is limited to the Administrative Record or whether  
10 supplemental evidence should be considered.

11 Plaintiff shall file her motion for judgment in a single  
12 brief of no greater than twenty-five pages on December 20, 2012.

13 Defendant shall file its opposition and cross-motion for  
14 judgment in a single brief of no greater than twenty-five pages on  
15 January 3, 2013.

16 Plaintiff shall file a reply and opposition to the cross-  
17 motion of no greater than fifteen pages on January 10, 2013.

18 Defendant may file a reply to the cross-motion of no greater  
19 than fifteen pages on January 17, 2013. The hearing will be held  
20 on January 31, 2013 at 2:00 pm in Courtroom 2.

21 IT IS SO ORDERED.

22 Dated: 6/15/2012

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25   
26 CLAUDIA WILKEN  
27 United States District Judge  
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