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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ELGIN COX,

Plaintiff,

vs.

ALLIN CORPORATION PLAN and UNUM  
LIFE INSURANCE COMPANY OF  
AMERICA; DELL, INC.  
COMPREHENSIVE WELFARE BENEFITS  
PLAN; DELL, INC., ADMINISTRATION  
AND INVESTMENT COMMITTEE;  
AETNA LIFE INSURANCE COMPANY,

Defendants.

Case No: C 12-5880 SBA

**ORDER REFERRING ACTION  
FOR MANDATORY SETTLEMENT  
CONFERENCE**

Three dispositive motions (one motion for summary judgment and two motions for judgment as a matter of law) were filed by the parties in this action on January 8, 2014. Dkt. 71, 72, 77. Responses to the motions currently are due on February 4, 2014. On January 23, 2014, the parties filed a stipulated request to extend the response deadline to March 4, 2014, due to the serious medical condition of defense counsel's family member. Dkt. 80.

Now that the parties have filed their respective opening briefs in connection with their dispositive motions, each of them is now fully aware of the factual and legal issues being presented to the Court for its consideration. Rather than expending what undoubtedly will be a considerable amount of resources in preparing responses to the other's dispositive motions, the parties should, at this juncture, devote their time and energy towards reaching a mutually acceptable resolution of this matter. Accordingly,

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IT IS HEREBY ORDERED THAT:


1. The instant action is REFERRED to Magistrate Judge Donna Ryu for a mandatory settlement conference to take place within ninety (90) days of this order, subject to the Magistrate Judge and the parties' mutual availability.

2. The pending motions shall be held in abeyance pending completion of the mandatory settlement conference, and Docket Nos. 71, 72 and 77 shall be administratively terminated. In the event the action does not settle, the parties shall notify the Court forthwith and the Court will enter a revised motion briefing schedule and set a new hearing date.

3. The parties' stipulated request to continue the briefing schedule on the cross-motions for judgment or summary judgment is DENIED as moot. This Order terminates Docket No. 80.

IT IS SO ORDERED.

Dated: January 29, 2014

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge