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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

**CHERYL O'CONNOR,**  
**Plaintiff,**

**vs.**

**METROPOLITAN LIFE INSURANCE COMPANY,**  
**Defendant.**

**Case No.: 4:24-cv-08723-YGR**

**SCHEDULING AND PRETRIAL ORDER**

The Court has read and reviewed the parties' Joint Case Management Conference Statement (Dkt. No. 21). Given that this case arises under the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001, *et seq.*, the Court will not set a date for a bench trial until briefing under Federal Rule of Civil Procedure 52 is completed.<sup>1</sup> If required, a bench trial can be scheduled on a fairly expedited basis. In light of the instant order, the Court hereby **VACATES** the case management conference currently set for Monday, March 10, 2025. Another conference can be scheduled if required by contacting the Court's courtroom deputy. *See* Standing Order in Civil Cases ¶ 12.

The Court **HEREBY ORDERS** as follows:

Defendant shall preserve the administrative record. The parties shall meet and confer on the scope of the administrative record and agree upon deadlines for resolution of this issue. The administrative record shall be delivered to the Court thirty (30) days prior to the filing of the first merits brief as set forth herein:

First, a physical copy of the administrative record (Bates-stamped and double-sided pages) shall be delivered in three-ring binders. The administrative record shall include an index and be segregated in appropriate, labeled categories (i.e. medical records, internal review records, third party expert reports, etc.)

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<sup>1</sup> Should the parties determine that a bench trial will be required, rather than (or in conjunction with) resolution on the papers, the Court will contact the parties and modify the schedule if necessary.

1 Second, an electronic copy of the administrative record shall be filed **under seal** pursuant to  
 2 this Order. To the extent it is filed in parts, those parts shall be labeled and indexed to allow  
 3 for easy access to the documents. The index shall be separately filed. In addition, the parties  
 4 shall deliver the electronic form of the administrative record on an external USB memory  
 5 device along with the physical copy. The electronic copy shall allow for searching.

6  
 7 **PRETRIAL SCHEDULE**

8 LAST DAY TO AMEND PLEADINGS/ADD PARTIES	N/A. Parties may not amend pleadings or add parties.
9	
10 DEFENDANT TO PROVIDE PLAINTIFF COPY OF ADMINISTRATIVE RECORD	June 6, 2025
11	
12 OBJECTIONS TO CONTENTS THEREIN	July 11, 2025
13	
14 LAST DAY TO CONDUCT MEDIATION	September 5, 2025
15	
16 FILING OF PLAINTIFF OPENING RULE 52 BRIEF	September 5, 2025
17	
18 FILING OF DEFENDANT OPENING/RESPONDING RULE 52 BRIEF	September 26, 2025
19	
20 FILING OF PLAINTIFF RESPONDING BRIEF	October 10, 2025
21	
22 FILING OF DEFENDANT REPLY BRIEF	October 24, 2025
23	
24 IN-PERSON HEARING	November 18, 2025 at 2:00 p.m. Courtroom One, United States Courthouse Oakland, California

25 With respect to Rule 52 briefing, each party shall meet and confer on the appropriate standard  
 26 of review and confirm the same within the briefing. Any disagreement with respect to this issue  
 27 shall be raised with the Court no later than thirty (30) days prior to the filing of the opening brief by  
 28 way of the Court's procedure on summary judgment practice. See Standing Order in Civil Cases ¶ 9.

The parties are **REFERRED** to private mediation to be completed by September 5, 2025. The parties shall provide the Court with the name of an agreed-upon mediator by April 11, 2025 by filing a JOINT Notice. A compliance hearing regarding shall be held on Friday, April 18, 2025 on the Court's 9:01a.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in

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Courtroom 1. By April 11, 2025, the parties shall file either the JOINT Notice or a one-page JOINT STATEMENT setting forth an explanation for their failure to comply. If compliance is complete, the parties need not appear and the compliance hearing will be taken off calendar. Virtual appearances will be allowed if the parties have submitted a joint statement in a timely fashion.

The parties must comply with both the Court’s Standing Order in Civil Cases and Standing Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All Standing Orders are available on the Court’s website at <http://www.cand.uscourts.gov/ygrorders>.

**IT IS SO ORDERED.**

Dated: March 5, 2025

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**