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**\*E-FILED - 1/19/11\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re CONSECO INSURANCE CO.  
ANNUITY MARKETING & SALES  
PRACTICES LITIG.

) Case No.: C-05-04726-RMW

) CLASS ACTION

\_\_\_\_\_  
This Case Relates To:

ALL ACTIONS.

) ORDER VACATING  
) HEARING ON PLAINTIFF'S MOTION FOR  
) CLASS CERTIFICATION AND SETTING A  
) HEARING DATE OF MARCH 25, 2011 FOR  
) PRELIMINARY APPROVAL OF  
) SETTLEMENT

1 Good cause appearing therefore, and pursuant to the stipulation of the parties, IT IS  
2 HEREBY ORDERED that:

3 1. The hearing on plaintiff's motion for class certification previously scheduled for  
4 January 21, 2011 is vacated.

5 2. The parties shall dutifully work on securing and executing full and final  
6 documentation of their January 18, 2011 settlement;

7 3. A hearing regarding preliminary approval of the settlement shall be held on March  
8 25, 2011 commencing at 9:00 a.m.

9 IT IS SO ORDERED

10  
11 DATED: 1/19/11

  
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THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE

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