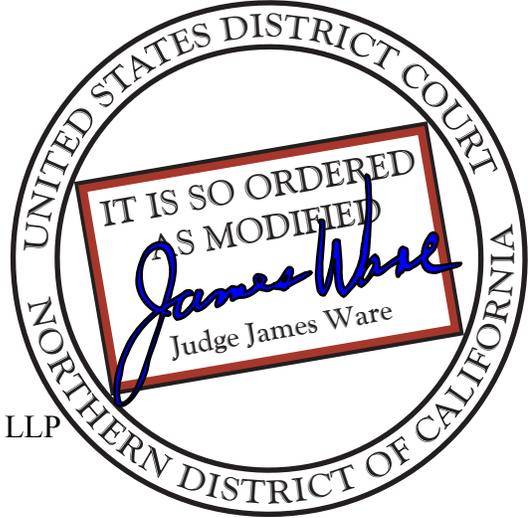


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 21 AT&T DISABILITY INCOME PLAN
 22 (formerly known as SBC DISABILITY INCOME PLAN)



13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 DAVID DAY,
 18 Plaintiff,
 19 vs.
 20 SBC DISABILITY INCOME PLAN,
 21 Defendant.

22 CASE NO. C06-01740-JW-RS
 23 **JOINT STIPULATION AND [PROPOSED]**
 24 **ORDER TO VACATE AND RESET**
 25 **STATUS CONFERENCE**

26 On December 9, 2009, this Court remanded the issue of whether Plaintiff David
 27 Day's long-term disability benefits were subject to an offset. The parties believe a status
 28 conference is not necessary at this time. Accordingly, the parties request the Court vacate the
 status conference set for April 27, 2009 and reset it in late June 2009.

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Dated: April 17, 2009

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David Day

Dated: April 17, 2009

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Attorneys for Defendant
AT&T Disability Income Plan (formerly known as SBC
Disability Income Plan)

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4

5 DAVID DAY,

6 Plaintiff,

7 vs.

8 SBC DISABILITY INCOME PLAN,

9 Defendant.

CASE NO. C06-01740-JW-RS

James Ware
[PROPOSED] ORDER

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11 Pursuant to the stipulation of the parties,

12 IT IS ORDERED THAT:

13 The Parties shall appear for a Further Case Management Conference on **June 22, 2009**
14 at 10:00 a.m. Should the case be resolved, the Parties shall notify the Court accordingly, and the
15 conference will be vacated. The Parties shall file a Joint Case Management Statement on or
16 before **June 12, 2009**.
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21 Dated: April 22, 2009

James Ware

JAMES WARE
UNITED STATES DISTRICT JUDGE
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