

1 THOMAS M. HERLIHY (SBN 83615)
 JOHN T. BURNITE (SBN 162223)
 2 SHEENA V. JAIN (SBN 251912)
 WILSON, ELSER, MOSKOWITZ,
 3 EDELMAN & DICKER LLP
 525 Market Street, 17th Floor
 4 San Francisco, California 94108-2718
 Telephone: (415) 433-0990
 5 Facsimile: (415) 434-1370

E-FILED - 2/9/09

6 Attorneys for Defendants,
 THE NORTHWESTERN MUTUAL LIFE
 7 INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 (SAN JOSE DIVISION)

12 JOSEPH A. CALLAHAN, M.D.,
 13 Plaintiff,

v.

14 NORTHWESTERN MUTUAL LIFE
 15 INSURANCE COMPANY, MATTHEW A.
 16 PEMBERTON, TRICIA HOESLY, SHARON
 17 A. HYDE and DOES 1 to 50,
 18 Defendants.

) Case No. 5:08-cv-02956-RMW

) **STIPULATION AND [XXXXXXXXXXXXXX]**
) **ORDER TO CONTINUE CASE**
) **MANAGEMENT CONFERENCE**

19
 20 Defendants The Northwestern Mutual Life Insurance Company ("Northwestern Mutual")
 21 and Matthew A. Pemberton ("Pemberton"), and Joseph A. Callahan ("plaintiff") stipulate and
 22 agree to a continuance of the case management conference currently set for February 13, 2009 at
 23 10:30 a.m.

24 The continuance is in the interest of all parties and the Court given the Court's recent Order
 25 granting Pemberton's Motion to Dismiss, with leave to amend.

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26 The parties request that the case management conference be continued to April [XX] 2009 at
 27 10:30 a.m. in Courtroom 6.

1 Dated: January 29, 2009 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

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By: /s/
Thomas M. Herlihy
John T. Burnite
Sheena V. Jain
Attorneys for Defendant
The Northwestern Mutual Life Insurance Company

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8 January 29, 2009 LEWIS, BRISBOIS BISGAARD & SMITH LLP

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By: Theresa A. Dillard
George J. Ziser
Theresa A. Dillard
Attorneys for Defendant
Matthew A. Pemberton

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13 January 29, 2009 NILAND & NILAND

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By: _____
Edward L. Niland
Attorney for Plaintiff
Joseph A. Callahan

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ORDER

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**PURSUANT TO STIPULATION, IT IS HERBEY ORDERED THAT THE CASE
MANAGEMENT CONFERENCE BE CONTINUED TO _____, 2009 at _____
a.m/p.m. in COURTROOM 6.**

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Dated: _____ By: _____
Honorable Ronald M. Whyte
United States District Judge

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1 Dated: January 29, 2009 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

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By: _____
Thomas M. Herlihy
John T. Burnite
Sheena V. Jain
Attorneys for Defendant
The Northwestern Mutual Life Insurance Company

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8 January 29, 2009 LEWIS, BRISBOIS BISGAARD & SMITH LLP

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By: _____
George J. Ziser
Theresa A. Dillard
Attorneys for Defendant
Matthew A. Pemberton

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13 January 29, 2009 NILAND & NILAND

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By: /s/
Edward L. Niland
Attorney for Plaintiff
Joseph A. Callahan

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ORDER

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20 PURSUANT TO STIPULATION, IT IS HERBEY ORDERED THAT THE CASE
MANAGEMENT CONFERENCE BE CONTINUED TO April 17, 2009 at 10:30
a.m. xxxx in COURTROOM 6.

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Dated: 2/9/09 By: Ronald M. Whyte
Honorable Ronald M. Whyte
United States District Judge

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