CHARLES B. PERKINS (#126942) 1 FLYNN, ROSE & PERKINS 59 North Santa Cruz Avenue, Suite Q 2 Los Gatos, California 95030 (408) 399-4566 3 cbperk@earthlink.net 4 Attorney for Plaintiff, DALIT WAISSMAN 5 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 10 DALIT WAISSMAN, Case No. C08 04731 JF 11 Plaintiff, STIPULATION RE: BRIEFING 12 SCHEDULE FOR MOTION FOR AN VS. AWARD OF ATTORNEY'S FEES 13 **COMPANY** AND COSTS, AND PROPOSED LIFE **INSURANCE** OF NORTH AMERICA, SAP AMERICA, **ORDER** 14 **DISABILITY** INC., LONG TERM INCOME PLAN, and SAP AMERICA, INC. 15 LIFE INSURANCE PLAN. 16 Defendants. 17 18 19 WHEREAS, the Court's Findings of Fact and Conclusion of Law in this matter was filed on 20 January 20, 2010; 21 WHEREAS, the Court's Findings of Fact and Conclusions of Law directs counsel to meet 22 and confer as to the proper form of judgment and a briefing schedule for a Motion for an Award of 23 Attorney's Fees and Costs; 24 WHEREAS, counsel are discussing the proper form of judgment and have agreed to discuss 25 whether the claim for attorney's fees and costs can be resolved by stipulation; 26 NOW, THEREFORE, the parties, by and through their counsel of record, hereby agree and 27 stipulate that Plaintiff's motion for an award of attorney's fees and costs shall be timely if filed 28 STIPULATION/PROPOSED ORDER RE: BRIEFING SCHEDULE - ATTORNEY'S FEES & COSTS Page 1 Case No. C08 04731 JF

1	within 30 days of entry of judgment, and that the filing of the Findings of Fact and Conclusion	s o
2	Law on January 20, 2010 does not trigger the deadline for Plaintiff to bring a motion for attorn	ey'
3	fees and costs.	
4	IT IS SO STIPULATED.	
5	DATE: <u>January 29, 2010</u> FLYNN, ROSE & PERKINS	
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7 8	By <u>/s/ Charles B. Perkins</u> CHARLES B. PERKINS Attorney for Plaintiff	
9	Dalit Waissman	
10	DATE: <u>January 29, 2010</u> WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP	
11		
12 13	By/s/ Sean P. Nalty SEAN P. NALTY Attorney for Defendant	
14	Attorney for Defendant Life Ins. Company of N. America	
15 16	<u>ORDER</u>	
17	Having considered the stipulation of the parties and good cause appearing,	
18	IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney's Fees and Costs shall	1 be
19	timely if made within 30 days of entry of judgment, and that the filing of the Findings of Fact	anc
20	Conclusions of Law on January 20, 2010 does not trigger the deadline for Plaintiff to make	te a
21	motion for attorney's fees and costs.	
22	IT IS SO ORDERED.	
<ul><li>23</li><li>24</li></ul>	DATE: 2/2/10	
	JUDGE JEREMY FOGEL	
<ul><li>25</li><li>26</li></ul>		
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