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13 Attorneys for Plaintiff  
 14 LAURA ALLEN

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

18 LAURA ALLEN,  
 19 Plaintiff,  
 20 v.  
 21 APPLE INC. LONG TERM DISABILITY PLAN;  
 CIGNA GROUP INSURANCE,  
 22 Defendants.

) Case No.: C09-04459 JF  
 )  
 ) **STIPULATION TO EXTEND TIME TO**  
 ) **FILE CROSS-MOTION, REPLY AND**  
 ) **SURREPLY FOR PARTIES' CROSS-**  
 ) **MOTIONS FOR JUDGMENT**  
 ) **PURSUANT TO F.R.C.P. 52;**  
 ) **[PROPOSED] ORDER**  
 )  
 ) Filed: September 22, 2009  
 ) Judge: Honorable Jeremy Fogel

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1 WHEREAS, the parties filed a Joint Case Management Conference (“CMC”) Statement on  
2 January 8, 2010;

3 WHEREAS, the Joint CMC Statement set forth the following dates for the parties to file  
4 their cross-motions for judgment under Federal Rule of Civil Procedure 52:

5 Plaintiff to file her opening motion on March 19, 2010;

6 Defendants to file a cross-motion and opposition on April 2, 2010;

7 Plaintiff to file her opposition and reply on April 16, 2010;

8 Defendants to file a surreply on April 23, 2010.

9 WHEREAS; in the Joint CMC Statement, the parties requested the Court to set the hearing  
10 on the cross-motions to be scheduled for May 7, 2010;

11 WHEREAS, after the case management conference, the Court issued Civil Minutes on  
12 January 15, 2010, setting the hearing for cross-motions for judgment and bench trial on May 7,  
13 2010, at 9:00 a.m.

14 WHEREAS, Plaintiff filed her opening motion on March 19, 2010;

15 WHEREAS, the parties desire to extend the dates for filing Defendants’ cross-  
16 motion/opposition, Plaintiff’s opposition/reply, and Defendants’ surreply by 3 court days each;

17 NOW, THEREFORE, the parties stipulate to the following new filing dates and request the  
18 Court to so order:

19 1. Defendants will file a cross-motion and opposition on April 7, 2010;

20 2. Plaintiff will file an opposition and reply on April 21, 2010;

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3. Defendants to file a surreply on April 28, 2010.

The parties further stipulate that the hearing date will remain May 7, 2010, at 9:00 a.m.

Date: March 29, 2010 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: /s/ Shilpa G. Doshi  
SEAN P. NALTY  
SHILPA G. DOSHI  
Attorneys for Defendants

Date: March 29, 2010 SPRINGER-SULLIVAN & ROBERTS, LLP

By: /s/ Michelle L. Roberts  
Michelle L. Roberts  
Cassie Springer-Sullivan  
Attorneys for Plaintiff

**ORDER**

Pursuant to the parties' stipulation, the Court orders that Defendants file their cross-motion and opposition on April 7, 2010; Plaintiff file her opposition and reply on April 21, 2010; and Defendants file their surreply on April 28, 2010. The Court orders that the hearing date will remain May 7, 2010, at 9:00 a.m.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 3/31/10

  
\_\_\_\_\_  
JEREMY FOGHL  
United States District Judge

1 **CERTIFICATE OF SERVICE**

2 *Laura Allen v. Apple Inc. Long Term Disability Plan, et al.*  
3 *USDC NDCA Case: C09-04459 HRL*

4 I am a citizen of the United States. I am over the age of eighteen years and am not a party  
5 to the within cause. I am employed in the City and County of San Francisco, California and my  
6 business address is 525 California Street, 17<sup>th</sup> Floor, San Francisco, California 94105. On this  
7 date I served the following document(s):

8 **STIPULATION TO EXTEND TIME TO FILE CROSS-MOTION, REPLY AND  
9 SURREPLY FOR PARTIES' CROSS-MOTIONS FOR JUDGMENT PURSUANT TO  
10 F.R.C.P. 52; [PROPOSED] ORDER**

11 on the parties identified below, through their attorneys of record, by placing true copies thereof in  
12 sealed envelopes addressed as shown below by the following means of service:

13  : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully  
14 prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco,  
15 California, for collection to the office of the addressee following ordinary business practices.

16  : **By Personal Service** – I caused each such envelope to be given to a courier messenger who  
17 personally delivered each such envelope to the office of the address.

18  : **By Overnight Courier** – I caused each such envelope to be given to an overnight mail  
19 service at San Francisco, California, to be hand delivered to the office of the addressee on the next  
20 business day.

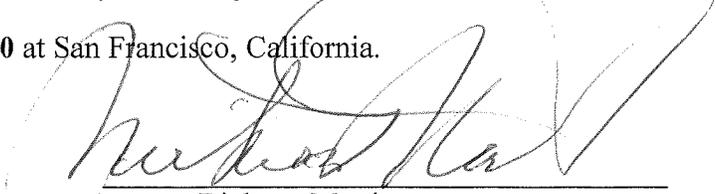
21  : **Facsimile** – (Only where permitted. Must consult CCP § 1012.5 and California Rules of  
22 Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in N.D.C.A.)

23  : **Electronic E-Filing** – I caused the attached document to be electronically transmitted on the  
24 Northern District website to the parties named below.

25  
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Attorneys for Plaintiff  
*Laura Allen*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED **March 29, 2010** at San Francisco, California.

  
\_\_\_\_\_  
Richean Martin