

1 TAD A. DEVLIN (SBN: 190355)  
 2 JOEL A. MORGAN (SBN: 262937)  
 3 GORDON & REES LLP  
 275 Battery Street, Suite 2000  
 4 San Francisco, CA 94111  
 Telephone: (415) 986-5900  
 Facsimile: (415) 986-8054

5 Attorneys for Defendant  
 THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

6  
 7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

Gordon & Rees LLP  
 275 Battery Street, Suite 2000  
 San Francisco, CA 94111

12 NASSER ESA ) CASE NO. 5:10-CV-03977 JF  
 )  
 13 Plaintiff, )  
 )  
 14 vs. ) **STIPULATION AND [PROPOSED]**  
 ) **ORDER TO CONTINUE CASE**  
 ) **MANAGEMENT CONFERENCE**  
 15 LOCKHEED MARTIN FLEXIBLE BENEFITS ) **AND ADR COMPLIANCE DATE**  
 PLAN, LOCKHEED MARTIN GROUP )  
 16 UNIVERSAL LIFE PLAN, LIFE INSURANCE )  
 COMPANY OF NORTH AMERICA, and THE )  
 17 PRUDENTIAL INSURANCE COMPANY OF )  
 AMERICA )  
 18 )  
 )  
 19 Defendants. )

20 **TO THE COURT, THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

21 The parties in this action, Plaintiff Nasser Esa (“Plaintiff”) and Defendants Lockheed  
 22 Martin Flexible Benefits Plan, Lockheed Martin Group Universal Life Plan, Life Insurance  
 23 Company of North America, and The Prudential Insurance Company of America (together,  
 24 “Defendants”), by and through their respective counsel of record, hereby stipulate as follows:

25 WHEREAS the currently set to date to complete ADR and the Court’s Case Management  
 26 Conference is March 4, 2011;

27 WHEREAS the parties have agreed to mediation with the Court assigned mediator,

Gordon & Rees LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111

1 Michael J. Loeb, but due to scheduling conflicts will not be able to complete mediation by March  
2 4, 2011;

3 WHEREAS the parties respectfully request the Court continue the ADR compliance date  
4 and Case Management Conference until April 8, April 15, or April 29, 2011, as convenient with  
5 the Court, to allow the parties to proceed to mediation.

6 **IT IS SO STIPULATED:**

7 Dated: February 23, 2011

8 THE LAW OFFICE OF STEVEN M.  
9 CHABRE

10 By: /s/ Steven M. Chabre  
11 Steven M. Chabre  
12 Attorney for Plaintiff  
13 NASSER ESA

14 Dated: February 23, 2011

15 WILSON, ELSER, MOSKOWITZ,  
16 EDELMAN & DICKER LLP

17 By: /s/ Dennis Rhodes  
18 Dennis Rhodes  
19 Attorneys for Defendants  
20 LOCKHEED MARTIN FLEXIBLE  
21 BENEFITS PLAN, LOCKHEED  
22 MARTIN GROUP UNIVERSAL LIFE  
23 PLAN, AND LIFE INSURANCE  
24 COMPANY OF NORTH AMERICA

25 Dated: February 23, 2011

26 GORDON & REES LLP

27 By: /s/ Tad A. Devlin  
28 Tad A. Devlin  
Attorneys for Defendant  
THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PURSUANT TO STIPULATION, IT IS SO ORDERED** that the Case Management

Conference in this case be continued to April 15, 2011.

Date: February 28, 2011



JEREMY FOCHEL  
United States District Judge

Gordon & Rees LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111