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8 Attorney for Plaintiff

9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 NASSER ESA,

13 Plaintiff,

14 vs.

15 LOCKHEED MARTIN FLEXIBLE
16 BENEFITS PLAN, LOCKHEED MARTIN
17 GROUP UNIVERSAL LIFE PLAN, LIFE
18 INSURANCE COMPANY OF NORTH
19 AMERICA, and THE PRUDENTIAL
INSURANCE COMPANY OF AMERICA,

20 Defendants.

) Case No.: C 10-3977 JF

) **STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANGEMENT CONFERENCE AND ADR
COMPLIANCE DATE**

) Judge: Honorable Jeremy Fogel

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23 **STIPULATION**

24 Plaintiff, Nasser Esa, and defendants, Lockheed Martin Flexible Benefits Plan ("the Flex
25 Plan"), Lockheed Martin Group Universal Life Plan ("the Universal Life Plan"), Life Insurance
26 Company of North America ("LINA"), and The Prudential Insurance Company of America
27 ("Prudential") stipulate to the following:
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1 The parties scheduled a mediation session for May 31, 2011 with Michael Loeb, Esq. as
2 the mediator. Defendant Prudential did not attend the mediation because of a scheduling conflict
3 that arose for Prudential's attorney. Plaintiff and defendants LINA and the Flex Plan went ahead
4 with the May 31 mediation and agreed to settle plaintiff's first cause of action. Plaintiff and
5 LINA have not yet exchanged the consideration called for in their settlement, but they will
6 shortly.

8 Plaintiff and defendants Prudential, the Flex Plan, and the Group Universal Life Plan
9 intend to complete the mediation and are attempting to find a mutually agreeable date with the
10 mediator for the follow-up session.

12 Consequently, the parties respectfully request that the Court continue the ADR
13 compliance date to July 8, 2011 and the case management conference until July 29, 2011.

16 Date: June 3, 2011

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

18 By: /s/

19 Sean Nalty
20 Attorneys for Defendants
21 LOCKHEED MARTIN FLEXIBLE BENEFITS PLAN
22 and LIFE INSURANCE COMPANY OF NORTH
23 AMERICA

24 Date: June 3, 2011

GORDON & REES LLP

25 By: /s/

26 Tad Devlin
27 Attorneys for Defendants
28 LOCKHEED MARTIN FLEXIBLE BENEFITS PLAN,
LOCKHEED MARTIN GROUP UNIVERSAL LIFE
PLAN and THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

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Date: June 3, 2011

THE LAW OFFICE OF STEVEN M. CHABRE

By: /s/
Steven M. Chabre
Attorneys for Plaintiff
NASSER ESA

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the ADR compliance date is continued to July 8, 2011 and the Case Management Conference is continued to July 29, 2011.

Date: June 8, 2011.



JEREMY FOGEL
United States District Judge