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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHARLES GUENTHER,

CASE NO. 5:11-cv-00380 EJD

Plaintiff,

**ORDER MAINTAINING STAY;
VACATING CASE MANAGEMENT
CONFERENCE**

v.

LOCKHEED MARTIN CORPORATION
et al.,

[Docket Item No. 38]

Defendants.

Presently before the court is an Updated Joint Case Management Statement, filed on September 7, 2012. See Docket Item No. 38. The Case Management Conference is scheduled for September 14, 2012.

Pursuant to the Order Granting Motion to Dismiss in Part and Staying Case, the action was stayed on March 30, 2012 until completion of the administrative appeal process. See Docket Item No. 37.

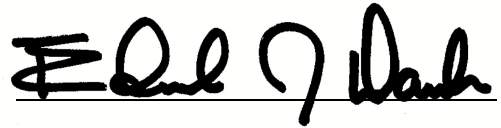
The Court has reviewed the Updated Joint Case Management Statement, which reveals that Plaintiff Charles Guenther (“Plaintiff”) submitted a claim for benefits under Defendants’ Salaried Employee Retirement Program on April 20, 2012. See Docket Item No. 38. That claim was denied by letter dated June 6, 2012; Plaintiff appealed the denial by letter dated August 3, 2012. Id. Accordingly, the court finds it appropriate to maintain the stay of this action until completion of the

1 administrative appeals process. Either party may file a request to extinguish the stay and set a Case
2 Management Conference upon completion of the administrative appeals process.

3 Based on the foregoing, this action is STAYED until completion of the administrative
4 appeals process. The Case Management Conference currently scheduled for September 14, 2012 is
5 VACATED.

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7 **IT IS SO ORDERED.**

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9 Dated: September 10, 2012



EDWARD J. DAVILA
United States District Judge

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