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7 Attorneys for Defendants  
8 LOCKHEED MARTIN CORPORATION  
and LOCKHEED MARTIN CORPORATION  
9 SALARIED EMPLOYEE RETIREMENT PROGRAM  
(Sued as Lockheed Martin Corporation  
10 Retirement Plan for Certain Salaried Employees)

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15 Attorneys for Plaintiff  
CHARLES GUENTHER

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE BRANCH

19 CHARLES GUENTHER, an individual,  
20 Plaintiff,

21 vs.

22 LOCKHEED MARTIN CORPORATION,  
23 LOCKHEED MARTIN CORPORATION  
RETIREMENT PLAN FOR CERTAIN  
24 SALARIED EMPLOYEES, and DOES 1  
through 30,  
25 Defendants.

Case No. 5:11-CV-00380-EJD

**STIPULATION TO CONTINUE PRETRIAL  
DEADLINES; ~~PROPOSED~~ ORDER**

Location: San Jose, Courtroom 4, 5th Floor  
Judge: Hon. Edward J. Davila  
Pretrial  
Conference: November 15, 2013  
Time: 11:00 a.m.

1 WHEREAS, the Court's May 17, 2013 Pretrial Order (Docket #54) set deadlines for a Final  
2 Pretrial Conference on November 15, 2013; Joint Final Pretrial Conference Statement and Motions  
3 in Limine on November 1, 2013; Proposed Findings of Fact and Conclusions of Law on  
4 November 8, 2013; and Bench Trial on November 26, 2013;

5 WHEREAS, on October 25, 2013 the Parties filed a stipulation (Docket #85) with the Court  
6 to continue the trial date in this matter until the Court has ruled on Defendants' Motion for  
7 Summary Judgment (Docket #64) currently pending before the Court;

8 WHEREAS, on October 28, 2013, the Court ordered (Docket #86) the trial date in this  
9 matter continued until at least 45 days after the Court has decided Defendants' Motion for  
10 Summary Judgment;

11 WHEREAS, the Parties' stipulation continuing trial and the Court's October 28, 2013  
12 Order did not specifically continue all pretrial dates and deadlines previously set by the Court, the  
13 Federal Rules of Civil Procedure, and the Local Rules;

14 WHEREAS, the Parties wish to continue all pretrial deadlines and dates until after the  
15 Court has decided Defendants' Motion for Summary Judgment and has set a new date for trial in  
16 this matter, if a trial is necessary.

17 THEREFORE, the Parties hereby stipulate to the continuance of all pretrial dates and  
18 deadlines currently set in this action, including but not limited to the following deadlines:

- 19 • November 1, 2013 deadline to file the Joint Final Pretrial Conference Statement;
- 20 • November 1, 2013 deadline to file Motions in Limine;
- 21 • November 1, 2013 deadline for the Parties to exchange exhibits;
- 22 • November 5, 2013 deadline to file Oppositions to Motions in Limine;
- 23 • November 8, 2013 deadline to file Proposed Findings of Fact and Conclusions of Law
- 24 • November 15, 2013 Final Pretrial Conference;
- 25 • November 19, 2013 deadline to submit trial briefs.

26 Each of these pretrial dates and deadlines shall be continued until after the Court's ruling on the  
27 Motion for Summary Judgment, and will be reset by the Court if trial remains necessary in this  
28 action. Any additional dates or deadlines related to trial in this matter set by Order of this Court,

1 by the Local Rules, or by the Federal Rules of Civil Procedure not specifically enumerated above  
2 shall also be continued until after the Court’s ruling on the Motion for Summary Judgment.

3 DATED: November 1, 2013

4 TRUCKER ♦ HUSS

5  
6 By: /s/Clarissa A. Kang  
Clarissa A. Kang  
Attorneys for Defendants  
7 LOCKHEED MARTIN CORPORATION  
and LOCKHEED MARTIN  
8 CORPORATION SALARIED EMPLOYEE  
RETIREMENT PROGRAM

9  
10 PIERCE & SHEARER, LLP

11 DATED: November 1, 2013

12 By: /s/Andrew F. Pierce  
Andrew F. Pierce  
Attorneys for Plaintiff  
13 CHARLES GUENTHER

14  
15 I attest that I have obtained Mr. Pierce’s concurrence in the filing of this document.

16 DATED: November 1, 2013

17 TRUCKER ♦ HUSS

18  
19 By: /s/Clarissa A. Kang  
Clarissa A. Kang  
Attorneys for Defendants  
20 LOCKHEED MARTIN CORPORATION  
and LOCKHEED MARTIN  
21 CORPORATION SALARIED EMPLOYEE  
RETIREMENT PROGRAM

~~PROPOSED~~ ORDER


PURSUANT TO STIPULATION, IT IS SO ORDERED:

All pretrial dates and deadlines in this action, including but not limited to the following deadlines, shall be continued until after the Court has ruled upon Defendants' Motion for Summary Judgment:

- November 1, 2013 deadline to file the Joint Final Pretrial Conference Statement;
- November 1, 2013 deadline to file Motions in Limine;
- November 1, 2013 deadline for the Parties to exchange exhibits;
- November 5, 2013 deadline to file Oppositions to Motions in Limine;
- November 8, 2013 deadline to file Proposed Findings of Fact and Conclusions of Law
- November 15, 2013 Final Pretrial Conference;
- November 19, 2013 deadline to submit trial briefs.

These dates and deadlines will only be reset by the Court if trial remains necessary in this action. Any additional dates or deadlines related to trial in this matter set by Order of this Court, by the Local Rules, or by the Federal Rules of Civil Procedure not specifically enumerated above shall also be continued until after the Court's ruling on the Motion for Summary Judgment.

DATED: 11/5/2013

  
HONORABLE EDWARD J. DAVILA  
Judge of the United States District Court