1 2 3 4	Anna Maria Martin (Bar No. 7079) amartin@mmhllp.com MESERVE, MUMPER & HUGHES LLP 800 Wilshire Boulevard, Suite 500 Los Angeles, California 90017-2611 Telephone: (213) 620-0300 Facsimile: (213) 625-1930		
5 6 7 8 9 10 11 12 13	316 California Ave. #216 Reno, Nevada 89509 Wendy L. Furman (Fla. Bar No. 0085146) wendy.furman@mhllp.com McDOWELL HETHERINGTON LLP 2101 N.W. Corporate Blvd., Suite 316 Boca Raton, FL 33431 Telephone: (561) 994-4311 Facsimile: (561) 982-8985 Admitted pro hac vice Attorneys for Defendant THE LINCOLN NATIONAL LIFE INSURANCE COMPANY UNITED STATE	S DIS	ΓRICT COURT
14	DISTRICT COURT OF NEVADA		
15	RICK ERDMANN,)	Case No. 2:17-cv-02383-JAD-PAL
16	Plaintiff,)	
17	v.)	JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING
18	THE LINCOLN NATIONAL LIFE)	DISPOSITIVE MOTIONS DEADLINE
19	INSURANCE COMPANY,)	(First Request)
20	Defendant.)	
21			
22	Plaintiff Rick Erdmann and Defendant The Lincoln National Life Insurance Company		
23	("Lincoln National"), by and through their respective counsel, hereby stipulate and agree:		
24	1. This is an action under the Em	ployee	Retirement Income Security Act of 1974 as
25	amended, 29 U.S.C. § 1001 et seq. ("ERISA")).	
26	2. Pursuant to the July Joint Statu	us Rep	ort (Doc. 35), the Parties agreed to file their
27	motions for summary judgment by October 31	, 2018	
28		1	Case No. 2:17-cv-02383-JAD-PAL JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING DISPOSITIVE MOTIONS DEADLINE

- 3. In an attempt to resolve the case before incurring substantial fees associated with motions for summary judgment, the Parties unsuccessfully mediated on May 9, 2018. Since then, the Parties have continued to explore multiple settlement options. However, after months of exhaustive settlement negotiations, the Parties remain at an impasse. As this is an ERISA action, the Parties agree that it should be resolved on summary judgment.
- 4. To date, the Parties avoided the time and expense associated with drafting dispositive motions (both to the Parties and the Court) as they continued their settlement discussions. Because the Parties cannot settle, they now agree that dispositive motions are necessary and appropriate. As such, the Parties request a two-week extension to file their respective motions for summary judgment, and propose the following deadlines: dispositive motions will be filed by Tuesday, November 13, 2018; responses by Thursday, December 13, 2018, and replies by Friday, January 11, 2019.
- 5. This is the first stipulation for an extension of the dispositive motion deadline. The Parties do not presently anticipate any further extensions of this deadline will be necessary. This extension is sought in good faith after the Parties continuously negotiated to reduce the additional expenses associated with filing dispositive motions while they continued their extensive settlement discussions. It is not requested for any improper purpose.

Dated: October 26, 2018 LAW OFFICE OF JULIE A. MERSCH

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By: /s/ Julie A. Mersch Julie A. Mersch, Esq. NV Bar No. 004695 701 South 7th Street Las Vegas, Nevada 89101

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Attorneys for Plaintiff Rick Erdmann

1	Dated: October 26, 2018	McDOWELL HETHERINGTON LLP
2		
3		By: <u>/s/ Wendy L. Furman</u> Wendy L. Furman, Esq.
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8		amartin@mmhllp.com 316 California Avenue, #216 Reno, Nevada 89509
9		Attorneys for Defendant The Lincoln National Life Insurance Group
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12		IT IS SO ORDERED.
13		II IS SO ORDERED.
14		The state of the s
15		UNITED STATES DISTRICT COURT JUDGE
16		OR UNITED STATES MAGISTRATE JUDGE
17		DATED: October 29, 2018
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