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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

JOYCE WALKER, KIM BRUCE  
HOWLETT, and MURIEL SPOONER, on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

LIFE INSURANCE COMPANY OF THE  
SOUTHWEST, a Texas corporation, and  
DOES 1-50

Defendant.

Case No.: CV 10-9198-JVS(RNBx)

**DECLARATION OF TIMOTHY J.  
PERLA IN OPPOSITION TO  
PLAINTIFFS' MOTION TO MODIFY  
THE PRETRIAL SCHEDULING  
ORDER**

Before: Judge James V. Selna

Date: November 14, 2011

Time: 1:30 pm

Courtroom: 10C

**DECLARATION OF TIMOTHY J. PERLA**

I, Timothy J. Perla, declare as follows:

1. I am an attorney duly licensed to practice law in the Commonwealth of Massachusetts and admitted, pro hac vice, before this Court. I am a Counsel at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Defendant Life Insurance Company of the Southwest (“LSW”) in the above-entitled action. I submit this Declaration in Opposition to Plaintiffs’ Motion to Modify the Pretrial Scheduling Order. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2. To date, LSW has produced more than 82,000 pages of documents in discovery, including hard-copy documents and electronic mail. Plaintiffs have served deposition notices for four LSW witnesses in the coming weeks, and LSW is making those witnesses available on the noticed dates.

3. LSW is employing forty-five attorneys to review as many as 100,000 documents per week and tens of thousands of documents each day. Included among these reviewers are thirty-five attorneys who have been contracted solely to review electronic mail.

4. Prior to a September 14, 2011 hearing before Magistrate Judge Block, Plaintiffs’ counsel approached me and other counsel to LSW about extending the discovery schedule. LSW’s counsel proposed that the parties should agree to a schedule that

1 simultaneously provided LSW with additional time to conduct its document production and  
2 provided Plaintiffs more time as well. Plaintiffs' counsel stated that they would propose a  
3 schedule consistent with this principle, but never submitted any such proposal.

4 5. Attached hereto as Exhibit A is a true and accurate copy of the transcript of the  
5 September 14, 2011 hearing before Magistrate Judge Block.

6 6. Attached hereto as Exhibit B is a true and correct copy of an August 18, 2011  
7 email sent from LSW's counsel to Plaintiffs' counsel regarding LSW's productions.

8 7. Attached hereto as Exhibit C is a true and correct copy of LSW's Responses  
9 and Objections to Plaintiffs' First Set of Requests for Production of Documents.

10 8. Attached hereto as Exhibit D is a true and correct copy of LSW's Responses  
11 and Objections to Plaintiffs' Second Set of Requests for Production of Documents.

12 9. Attached hereto as Exhibit E is a true and correct copy of LSW's Responses  
13 and Objections to Plaintiffs' Third Set of Requests for Production of Documents.

14 10. Attached hereto as Exhibit F is a true and correct copy of a July 14, 2011 email  
15 sent from Plaintiffs' counsel to LSW's counsel regarding the protocol for the parties'  
16 productions.  
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1 I declare under the penalty of perjury that the foregoing is true and correct. Executed  
2 this 24th day of October, 2011, at Boston, Massachusetts.

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4 By: /s/ Timothy J. Perla  
5 Timothy J. Perla (*pro hac vice*)  
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**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Wilmer Cutler Pickering Hale and Dorr LLP, 950 Page Mill Road, Palo Alto, CA 94304. On October 24, 2011, I served the within document(s):

**DECLARATION OF TIMOTHY J. PERLA IN OPPOSITION TO PLAINTIFFS' MOTION TO MODIFY THE PRETRIAL SCHEDULING ORDER**

I placed the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, CA addressed as set forth below.

I personally caused to be hand delivered the document(s) listed above to the person(s) at the address(es) set forth below.



I electronically filed the document(s) listed above via the CM/ECF system.

Charles N. Freiberg  
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/s/ Jonathan A. Shapiro  
Jonathan A. Shapiro