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19 and MURIEL SPOONER, on behalf of themselves
20 and all others similarly situated

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA**
23 **SOUTHERN DIVISION**

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

28 Plaintiffs,

v.

LIFE INSURANCE COMPANY OF
THE SOUTHWEST, a Texas
corporation,

Defendant.

CLASS ACTION

CASE NO.: CV 10-9198 JVS (RNBx)

Formerly Case No.: 3:10-cv -04852
JSW
from Northern District of California

**PLAINTIFFS' OBJECTION TO
EVIDENCE RELIED ON IN
LSW'S OPPOSITION TO
PLAINTIFFS MOTION FOR
LEAVE TO FILE SECOND
AMENDED COMPLAINT**

District Judge James V. Selna

Date: April 16, 2012
Time: 1:30 p.m.
Courtroom: 10C

Discovery Cutoff: November 5, 2012
Pretrial Conference: January 14, 2013
Trial Date: January 22, 2013

1 Plaintiffs Joyce Walker, Kim Bruce Howlett, and Muriel Spooner
2 (“Plaintiffs”) hereby object to the following evidence presented by opposing party
3 Life Insurance Company of the Southwest (“LSW”) in connection with the motion
4 for leave to file a second amended complaint:

5 (1) Exhibit 1 to the Declaration of Joel Fleming in Opposition to Plaintiff
6 [sic] Motion for Leave to File Second Amended Complaint, at p. 4. This evidence
7 is objected to on the ground that it is inadmissible hearsay. *See, e.g., Fed. R. Ev.*
8 802.

9 Plaintiffs will respectfully request the Court at the hearing on the motion to
10 sustain the above objection and to strike the evidence referred to above, as well as
11 all references to the evidence contained in LSW’s opposition brief.

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13 DATED: April 2, 2012 KASOWITZ BENSON TORRES & FRIEDMAN
14 LLP

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16 By: s/Brian P. Brosnahan
17 Brian P. Brosnahan

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