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13 and all others similarly situated

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

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

19 Plaintiffs,

20 v.

21 LIFE INSURANCE COMPANY
22 OF THE SOUTHWEST, a Texas
corporation,

23 Defendant.

CLASS ACTION

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

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

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR REVIEW OF
MAGISTRATE JUDGE BLOCK'S
MARCH 20, 2012 ORDER DENYING
PLAINTIFFS' MOTION TO COMPEL
IN PART AND GRANTING
DEFENDANT LIFE INSURANCE
COMPANY OF THE SOUTHWEST'S
MOTION FOR PROTECTIVE ORDER
IN PART**

Judge: Hon. James V. Selna
Courtroom: 10C
Date: May 7, 2012
Time: 1:30 p.m.

**PLAINTIFFS’ NOTICE OF MOTION AND MOTION FOR REVIEW OF
MAGISTRATE JUDGE BLOCK’S MARCH 20, 2012 DISCOVERY ORDER**

TO THE COURT, DEFENDANT, AND ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on May 7, 2012, or on such other date as the matter may be heard, in Courtroom 10C, located at 411 West Fourth Street, Santa Ana, California, 92701, Plaintiffs Joyce Walker, Muriel Lynn Spooner, and Kim Bruce Howlett (collectively, “Plaintiffs”) will, and hereby do, move the Court for an order reversing the Magistrate Judge’s March 20, 2012 discovery order and compelling the further production of documents and deposition testimony by defendant Life Insurance Company of the Southwest (“Defendant” or “LSW”).

Specifically, Plaintiffs respectfully request that the Court enter an order reversing the Magistrate Judge’s March 20, 2012 discovery order with respect to Document Request Nos. 74-80, 95-96, 98-100, and 111-112 and Deposition Topic Nos. 6, 11, 28-29, 32-33, 36, and 38, and compelling LSW (1) to produce documents responsive to Document Request Nos. 74-80, 95-96, 98-100, and 111-112; and (2) to provide deposition testimony responsive to Deposition Topic Nos. 6, 11, 28-29, 32-33, 36, and 38. This motion is made on the grounds that the Magistrate Judge’s March 20, 2012 discovery order was clearly erroneous and contrary to law because the above-described document requests and deposition topics are relevant to Plaintiffs’ claims and/or LSW’s defenses.

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1 This Motion is made pursuant to Federal Rule of Civil Procedure 72(a) and
2 Local Rules 72-2.1. This Motion is based upon this Notice of Motion, the
3 accompanying Memorandum of Points and Authorities, the Declaration of Jeanette
4 T. Barzelay and supporting Exhibits, and on such other evidence or argument as
5 may be presented at or before the hearing.
6

7 DATED: April 3, 2012

KASOWITZ BENSON TORRES & FRIEDMAN
8 LLP

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11 By: /s/ Brian P. Brosnahan
12 Brian P. Brosnahan

13 Attorneys For Plaintiffs
14 JOYCE WALKER, KIM BRUCE HOWLETT,
15 and MURIEL SPOONER, on behalf of
16 themselves and all others similarly situated
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