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19 **UNITED STATES DISTRICT COURT**
20 **CENTRAL DISTRICT OF CALIFORNIA**
21 **SOUTHERN DIVISION**

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

26 Plaintiffs,

27 vs.

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

Defendant.

Case No.: 10-09198 JVS(RNBx)

DECLARATION OF JOEL FLEMING IN
OPPOSITION TO PLAINTIFFS' MOTION
FOR REVIEW OF MAGISTRATE JUDGE
BLOCK'S MARCH 20, 2012 ORDER
DENYING PLAINTIFFS' MOTION TO
COMPEL IN PART AND GRANTING
DEFENDANT'S MOTION FOR PROTECTIVE
ORDER IN PART

Judge James V. Selna

Courtroom: 10C

DECLARATION OF JOEL FLEMING IN OPPOSITION TO PLAINTIFF' MOTION FOR REVIEW OF MAGISTRATE
JUDGE BLOCK'S MARCH 20, 2012 ORDER DENYING PLAINTIFFS' MOTION TO COMPEL IN PART AND
GRANTING DEFENDANT'S MOTION FOR PROTECTIVE ORDER IN PART, 10-09198 JVS(RNBx)

DECLARATION OF JOEL FLEMING

I, Joel Fleming, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and before this Court. I am an associate 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 respectfully submit this Declaration in opposition to Plaintiffs’ Motion for Review of Magistrate Judge Block’s March 20, 2012 Order Denying Plaintiffs’ Motion to Compel in Part and Granting Defendant’s Motion for Protective Order in part. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts from the transcript of the March 20, 2012 discovery hearing before Magistrate Judge Block.

3. Attached hereto as Exhibit B is a true and correct copy of an email chain between Stephan Mayr, Elizabeth MacGowan, Nancy Winings, and Matthew DeSantos between October 29 and October 30, 2009, produced by LSW to Plaintiffs as LSW-E00043997-8.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 17th day of April, 2012, at Palo Alto, California.

By: /s/ Joel Fleming
Joel Fleming