

EXHIBIT D

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13 and MURIEL SPOONER, on behalf of themselves
14 and all others similarly situated

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

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

20 Plaintiffs,

21 v.

22 LIFE INSURANCE COMPANY OF
23 THE SOUTHWEST, a Texas
24 corporation,

25 Defendant.

CLASS ACTION

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

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

**SECOND AMENDED PRETRIAL
SCHEDULING ORDER AND
ORDER GRANTING JOINT
STIPULATION TO MODIFY THE
PRETRIAL SCHEDULING ORDER**

1 The Court, having reviewed Plaintiffs Joyce Walker’s, Muriel Lynn
2 Spooner’s, and Kim Bruce Howlett’s (“Plaintiffs”) and Defendant Life Insurance
3 Company of the Southwest’s Joint Stipulation to Modify the Pretrial Scheduling
4 Order (the “Joint Stipulation”) and the parties’ papers filed in connection
5 therewith, hereby GRANTS the Joint Stipulation and ORDERS that Paragraph
6 Nos. 3 and 4 are amended as set forth below:

7 1. The trial date is set for January 24, 2013 at 8:30 a.m. The pretrial
8 conference will take place on January 14, 2013 at 11:00 a.m.

9 2. Class and merits discovery shall not be bifurcated and shall proceed
10 simultaneously. Fact discovery will remain open until November 5, 2012.

11 3. Pursuant to the Trial Order, all interrogatories, requests for
12 documents, and requests for admission shall be served no later than September 21,
13 2012, and all depositions (other than expert depositions) shall commence no later
14 than October 29, 2012.

15 4. Expert discovery will remain open until December 20, 2012. In
16 accordance with Rule 26(a)(2), the parties shall submit their expert disclosures no
17 later than October 25, 2012, any rebuttal expert disclosures no later than November
18 15, 2012, and any reply expert disclosures no later than December 6, 2012. All
19 expert depositions shall commence no later than December 20, 2012.

20 5. Plaintiffs may take 3 days of Rule 30(b)(6) depositions, which shall
21 count as one deposition against the limit of 10 depositions permitted under Rule
22 30. Plaintiffs may request that the Court modify this order to permit additional
23 time if needed to fairly examine the 30(b)(6) deponents.

24 6. The last date for hearing motions will be seven weeks before the trial
25 date, or December 6, 2012. The Court orders that all motions shall be served and
26 filed no later than November 2, 2012. The parties will meet and confer to agree on
27 briefing schedules and will submit them to the Court for approval.

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[PROPOSED] SECOND AMENDED PRETRIAL SCHEDULING ORDER AND ORDER GRANTING JOINT
STIPULATION TO MODIFY THE PRETRIAL SCHEDULING ORDER

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1 7. Pursuant to the Trial Order and in compliance with Local Rule 6, all
2 motions *in limine* shall be filed and served no later than December 17, 2012, four
3 weeks prior to the scheduled pretrial date of January 14, 2013.

4 8. Pursuant to and in compliance with Local Rule 16, the parties' Pretrial
5 Conference Order shall be lodged no later than January 4, 2013.

6 9. Pursuant to and in compliance with Local Rule 16, all Memoranda of
7 Contentions of Fact and Law, Exhibit Lists, and Witness Lists shall be submitted
8 no later than December 21, 2012, three and a half weeks prior to the scheduled
9 pretrial date.

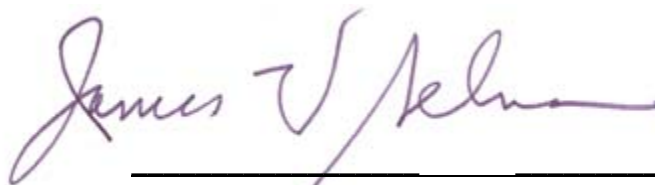
10 10. The parties will participate in a non-judicial dispute resolution
11 proceeding, Settlement Procedure Number 3 under Local Rule 16-15.4. The last
12 date for completion of this Settlement Procedure shall be no later than the close of
13 fact discovery.

14 11. Plaintiffs will file their motion for class certification on or before May
15 14, 2012. The parties will meet and confer to agree on a briefing schedule for that
16 motion and will submit it to the Court for approval.

17 12. The parties may seek modification of this Order at any time and for
18 good cause shown.

19
20 IT IS SO ORDERED.

21
22 Dated: June 22, 2012



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24 _____
Honorable James V. Selna
United States District Judge

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