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11 Attorneys for Defendant Life Insurance  
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13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **SOUTHERN DIVISION**

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

18 Plaintiffs,

19 vs.

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

23 Defendant.

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

**DECLARATION OF JOEL FLEMING  
IN SUPPORT OF LSW'S REPLY IN  
SUPPORT OF MOTION TO STRIKE  
DECLARATION OF PATRICK  
BROCKETT**

1 **DECLARATION OF JOEL FLEMING**

2 I, Joel Fleming, declare as follows:

3 1. I am an attorney duly licensed to practice law in the state of California  
4 and before this Court. I am an Associate at the law firm of Wilmer Cutler  
5 Pickering Hale and Dorr LLP, counsel for Defendant Life Insurance Company of  
6 the Southwest (“LSW”) in the above-entitled action. I have personal knowledge of  
7 the facts stated herein and, if called as a witness, I could and would testify  
8 competently thereto.  
9

10 2. Attached hereto as Exhibit A is a true and accurate copy of excerpts  
11 from the Deposition of Patrick Brockett.

12 3. Attached hereto as Exhibit B is a true and accurate copy of excerpts  
13 from the Deposition of Timothy Pfeifer.  
14

15 I declare under the penalty of perjury that the foregoing is true and correct.

16 Executed this 27th day of August, 2012, at Palo Alto, California.

17 *By: /s/ Joel Fleming*  
18 Joel Fleming

**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, California 94304. On August 27, 2012, I served the within document(s):

**REPLY DECLARATION OF JOEL FLEMING IN SUPPORT OF MOTION TO STRIKE DECLARATION OF PATRICK BROCKETT**

I placed the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail 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 emailed 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.

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/s/ Joel Fleming  
Joel Fleming