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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

JOYCE WALKER, KIM BRUCE HOWLETT, and MURIEL SPOONER on behalf of themselves and all others similarly situated, 　　　　　Plaintiffs, 　　vs. 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 SUPPORT OF LSW'S EX PARTE APPLICATION FOR ENTRY OF ORDER STRIKING PLAINTIFFS' OBJECTIONS Judge James Selna Courtroom: 10C

DECLARATION OF JOEL FLEMING IN SUPPORT OF LSW'S EX PARTE APPLICATION FOR ENTRY OF ORDER STRIKING PLAINTIFFS' OBJECTIONS, 10-09198 JVS(RNBx)

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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 in the above-entitled action. I respectfully submit this Declaration in support of Defendant Life Insurance Company of the Southwest's Ex Parte Application for Entry of an Order Striking Plaintiffs' Objections. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2.   On August 28, 2012, I contacted Brian Brosnahan and Jacob Foster, lead counsel for Plaintiffs, by telephone. I advised Messrs. Brosnahan and Foster that LSW would be filing an ex parte application to strike Plaintiffs' objections on August 28, 2012 and advised them of the substance of the application. Plaintiffs' counsel indicated that they opposed the application.

3.   Attached hereto as Exhibit 1 is a true and correct copy of an email chain between Jonathan Shapiro and Brian Brosnahan dated August 23, 2012.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 28th day of August, 2012, at Palo Alto, California.

By: /s/ Joel Fleming

Joel Fleming

DECLARATION OF JOEL FLEMING IN SUPPORT OF LSW'S EX PARTE APPLICATION FOR ENTRY OF ORDER STRIKING PLAINTIFFS' OBJECTIONS, 10-09198 JVS(RNBx)

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, CA 94304. On August 28, 2012 I served the within document(s):

LSW'S EX PARTE APPLICATION FOR AN ORDER STRIKING PLAINTIFFS' OBJECTIONS

I placed the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, CA addressed as set forth below.

I personally caused to be emailed the document(s) listed above to the person(s) at the address(es) set forth below.

[X] I electronically filed the document(s) listed above via the CM/ECF system.

[X] I personally caused to be delivered by Facsimile the document(s) listed above to the person(s) at the facsimile number(s) set forth below.

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Jacob Foster
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/s/Joel Fleming

Joel Fleming

DECLARATION OF JOEL FLEMING IN SUPPORT OF LSW'S EX PARTE APPLICATION FOR ENTRY OF ORDER STRIKING PLAINTIFFS' OBJECTIONS, 10-09198 JVS(RNBx)