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

19 **UNITED STATES DISTRICT COURT**
20 **CENTRAL DISTRICT OF CALIFORNIA**

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

25 Plaintiffs,

26 v.

27 LIFE INSURANCE COMPANY OF
28 THE SOUTHWEST, a Texas
corporation,

Defendant.

CLASS ACTION

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

Formerly Case No.: 3:10-cv -04852
JSW

from Northern District of California

**DECLARATION OF JEANETTE
T. BARZELAY IN SUPPORT OF
JOINT STIPULATION ON
PLAINTIFFS' MOTION TO
COMPEL AND FOR AN ORDER
REGARDING DEPOSITIONS**

Magistrate Judge Robert N. Block

Date: January 2, 2013

Time: 9:30 a.m.

Courtroom: 6D

Discovery Cutoff: January 21, 2013

Pretrial Conference: April 29, 2013

Trial Date: May 14, 2013

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
101 CALIFORNIA STREET, SUITE 2300
SAN FRANCISCO, CALIFORNIA 94111

1 1. I am an attorney authorized to practice in the courts of California and
2 in the United States District Court for the Central District of California. I am an
3 associate of Kasowitz, Benson, Torres & Friedman, LLP, counsel for Plaintiffs in
4 these proceedings. I have personal knowledge of the facts stated herein and if
5 required could and would testify under oath thereto.

6 2. Attached hereto as Exhibit A is a true and correct copy of Plaintiffs
7 Joyce Walker's, Kim Bruce Howlett's, and Muriel Spooner's ("Plaintiffs") Notice
8 of Deposition of Defendant Life Insurance Company of the Southwest ("LSW"),
9 dated December 2, 2011.

10 3. Attached hereto as Exhibit B is a true and correct copy of LSW's
11 Responses to Plaintiffs' Notice of Deposition of LSW, dated January 6, 2012.

12 4. Attached hereto as Exhibit C is a true and correct copy of Plaintiffs'
13 Eighth Set of Requests for Production of Documents to LSW, dated February 6,
14 2012.

15 5. Attached hereto as Exhibit D is a true and correct copy of a document
16 bearing Bates number LSW-E00067995, referenced in Document Request No.
17 125.

18 6. Attached hereto as Exhibit E is a true and correct copy of LSW's
19 responses and objections to Plaintiffs' Eighth Set of Document Requests, dated
20 March 7, 2012.

21 7. Attached hereto as Exhibit F is a true and correct copy of meet and
22 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
23 Plaintiffs' eighth set of document requests and LSW's responses and objections
24 thereto, dated March 9, 2012.

25 8. Attached hereto as Exhibit G is a true and correct copy of meet and
26 confer correspondence from counsel for LSW to counsel for Plaintiffs regarding
27 Plaintiffs' eighth of document requests and LSW's responses and objections
28 thereto, dated March 22, 2012.

1 9. Attached hereto as Exhibit H is a true and correct copy of meet and
2 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
3 Plaintiffs' eighth set of document requests and LSW's responses and objections
4 thereto, dated March 23, 2012.

5 10. Attached hereto as Exhibit I is a true and correct copy of meet and
6 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
7 Plaintiffs' eighth set of document requests and LSW's responses and objections
8 thereto, dated March 29, 2012.

9 11. Attached hereto as Exhibit J is a true and correct copy of an email
10 chain between counsel for Plaintiffs and counsel for LSW discussing outstanding
11 discovery requests, including Document Request No. 125, dated July 16, 2012.

12 12. Attached hereto as Exhibit K is a true and correct copy of meet and
13 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
14 outstanding discovery disputes, dated October 12, 2012.

15 13. Attached hereto as Exhibit L is a true and correct copy of a cover
16 email and its attached meet and confer correspondence from counsel for LSW to
17 counsel for Plaintiffs regarding outstanding discovery disputes, sent by LSW on
18 October 17, 2012.

19 14. Attached hereto as Exhibit M is a true and correct copy of meet and
20 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
21 outstanding discovery disputes, dated October 25, 2012.

22 15. Attached hereto as Exhibit N is a true and correct copy of meet and
23 confer correspondence from counsel for LSW to counsel for Plaintiffs regarding
24 outstanding discovery disputes, dated November 2, 2012.

25 16. Attached hereto as Exhibit O is a true and correct copy of meet and
26 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
27 outstanding discovery disputes, dated November 6, 2012.
28

1 17. Attached hereto as Exhibit P is a true and correct copy of meet and
2 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
3 deposition conduct, dated May 24, 2012.

4 18. Attached hereto as Exhibit Q is a true and correct copy of meet and
5 confer correspondence from counsel for LSW to counsel for Plaintiffs regarding
6 deposition conduct, dated June 7, 2012.

7 19. Attached hereto as Exhibit R is a true and correct copy of meet and
8 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
9 deposition conduct, dated June 14, 2012.

10 20. Attached hereto as Exhibit S is a true and correct copy of an email
11 chain between counsel for Plaintiffs and counsel for LSW, dated June 26, 2012.

12 21. Attached hereto as Exhibit T is a true and correct copy of meet and
13 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
14 deposition conduct, dated July 6, 2012.

15 22. Attached hereto as Exhibit U is a true and correct copy of meet and
16 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
17 deposition conduct, dated September 13, 2012.

18 23. Attached hereto as Exhibit V is a true and correct copy of an email
19 chain between counsel for Plaintiffs and counsel for LSW discussing Deposition
20 Topic Nos. 5 and 33, dated October 22, 2012.

21 24. Attached hereto as Exhibit W is a true and correct copy of an email
22 chain between counsel for Plaintiffs and counsel for LSW, dated November 6,
23 2012.

24 25. Attached hereto as Exhibit X is a true and correct copy of meet and
25 confer correspondence from counsel for Plaintiffs to counsel for LSW regarding
26 deposition conduct, dated November 14, 2012.

27 26. Attached hereto as Exhibit Y is a true and correct copy of the
28 transcript of the deposition of Timothy Pfeifer, dated August 14, 2012.

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
101 CALIFORNIA STREET, SUITE 2300
SAN FRANCISCO, CALIFORNIA 94111

1 27. Attached hereto as Exhibit Z is a true and correct copy of selected
2 pages from the index to the transcript of the deposition of Dr. Patrick L. Brockett,
3 dated July 3, 2012.

4 28. Attached hereto as Exhibit AA is a true and correct copy of selected
5 pages from the transcript of the deposition of Victoria McDonald, dated May 2,
6 2012.

7 29. Attached hereto as Exhibit BB is a true and correct copy of selected
8 pages from the transcript of the deposition of Stephanie Burmester, dated May 1,
9 2012.

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

11 Executed this 12th day of December, 2012 at San Francisco, California.

12
13 DATED: December 12, 2012 KASOWITZ BENSON TORRES & FRIEDMAN
14 LLP

15
16 By: /s/ Jeanette T. Barzelay
17 Jeanette T. Barzelay

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