

1 JONATHAN A. SHAPIRO (257199)  
2 WILMER CUTLER PICKERING HALE AND DORR LLP  
3 950 Page Mill Road  
4 Palo Alto, CA 94304  
5 Tel: (650) 858-6101  
6 Fax: (650) 858-6100  
7 jonathan.shapiro@wilmerhale.com

8 ANDREA J. ROBINSON (*PRO HAC VICE*)  
9 TIMOTHY J. PERLA (*PRO HAC VICE*)  
10 WILMER CUTLER PICKERING HALE AND DORR LLP  
11 60 State Street  
12 Boston, MA 02109  
13 Tel: (617) 526-6000  
14 Fax: (617) 526-5000  
15 andrea.robinson@wilmerhale.com  
16 timothy.perla@wilmerhale.com

17 Attorneys for Defendant Life Insurance  
18 Company of the Southwest

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

22 JOYCE WALKER, KIM BRUCE HOWLETT, )  
23 and MURIEL SPOONER on behalf of )  
24 themselves and all others similarly situated, )  
25 )  
26 Plaintiff, )  
27 )  
28 vs. )  
29 LIFE INSURANCE COMPANY OF THE )  
30 SOUTHWEST, a Texas corporation, and DOES )  
31 1-50, )  
32 Defendant. )

Case No. 10-09198 JVS(RNBx)

**JOINT STIPULATION TO  
CONTINUE MOTION FOR  
LEAVE TO FILE THIRD  
AMENDED COMPLAINT AND  
MOTION FOR CLASS  
CERTIFICATION HEARING  
DATE**

Honorable James V. Selna  
Courtroom: 10C

33 Pursuant to Local Civil Rule 40-1, this Stipulation is made by and between  
34  
35 plaintiffs Joyce Walker, Kim Bruce Howlett, and Muriel Spooner (“Plaintiffs”), and  
36  
37 defendant Life Insurance Company of the Southwest (“LSW”).

38 JOINT STIPULATION TO CONTINUE MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND  
MOTION FOR CLASS CERTIFICATION HEARING DATE, 10-09198 JVS(RNBx)

**RECITALS**

1  
2 WHEREAS, Plaintiffs filed a Motion for Leave to File a Third Amended  
3  
4 Complaint and a Motion for Class Certification of New and Remaining Claims  
5 Relating to Current Basis Policy Values (the “Motions”) on January 7, 2013;

6 WHEREAS, Plaintiffs selected a date of February 4, 2013 as the hearing date  
7  
8 for Plaintiffs’ Motions;

9 WHEREAS, LSW’s Oppositions to Plaintiffs’ Motions are currently due on  
10  
11 January 14, 2013;

12 WHEREAS, Plaintiffs’ Replies to LSW’s Oppositions currently are due on  
13  
14 January 21, 2013;

15 WHEREAS, there have been no prior requests for extensions of time for this  
16  
17 hearing;

18 WHEREAS, counsel for LSW contacted counsel for Plaintiffs to request assent  
19  
20 to a continuance of the hearing, to which Plaintiffs’ counsel agreed;

21 WHEREAS, the parties have agreed to March 4, 2013 as an acceptable hearing  
22  
23 date that will work for all counsel;

24 WHEREAS, good cause exists to continue the hearing date to permit the parties  
25  
26 time to adequately research and brief the issues raised in Plaintiffs’ Motions in a way  
27  
28 that will be helpful to the Court in resolving the issues;

1           WHEREAS, this continuance will extend the deadlines for LSW to file its  
2           Oppositions to Plaintiffs' Motion for Leave to File a Third Amended Complaint and  
3           Plaintiffs' Motion for Class Certification of New and Remaining Claims Relating to  
4           Current Basis Policy Values to January 30, 2013;

5           WHEREAS, this continuance will extend the deadlines for Plaintiffs to file their  
6           Replies to LSW's Oppositions to February 15, 2013; and

7           WHEREAS, many of the deadlines in the present action have been postponed  
8           pending the Ninth Circuit's decision on LSW's 23(f) petition and as such an extension  
9           will not impact other deadlines.

10           NOW, THEREFORE, Plaintiffs and LSW, through their respective undersigned  
11           counsel, hereby stipulate at follows:

12           1.     The hearing date for Plaintiffs' Motion for Leave to File a Third  
13           Amended Complaint and Plaintiffs' Motion for Class Certification of New and  
14           Remaining Claims Relating to Current Basis Policy Values is continued for one  
15           month until March 4, 2013;

16           2.     LSW's Oppositions to Plaintiffs' Motions shall be due on January 30,  
17           2013;

18           3.     Plaintiffs' Replies to LSW's Oppositions shall be due on February 15,  
19           2013.

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Respectfully submitted,

WILMER CUTLER PICKERING HALE AND  
DORR LLP

By: /s/ Jonathan A. Shapiro

Jonathan A. Shapiro (257199)

Andrea J. Robinson

Timothy J. Perla

Attorneys for Defendant Life Insurance  
Company of the Southwest

KASOWITZ, BENSON, TORRES &  
FRIEDMAN LLP

By: /s/ Brian P. Brosnahan

Brian P. Brosnahan (70890)

Attorneys for Plaintiffs Joyce Walker, Kim  
Bruce Howlett, and Muriel Spooner

Dated: January 8, 2013

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**PROOF OF SERVICE**

I am a resident of the Commonwealth of Massachusetts, 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, 60 State Street, Boston, Massachusetts 02109. On January 8, 2013, I served the within document(s):

JOINT STIPULATION TO CONTINUE MOTION FOR LEAVE TO  
FILE THIRD AMENDED COMPLAINT AND MOTION FOR CLASS  
CERTIFICATION HEARING DATE

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 hand delivered 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.

Brian P. Brosnahan  
KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
101 California Street, Suite 2300  
San Francisco, CA 94111

Harvey R.. Levine  
LEVINE & MILLER  
550 West C. Street, Suite 1810  
San Diego, CA 92101-8596

/s/ Joel Fleming  
Joel Fleming