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

21 **UNITED STATES DISTRICT COURT**
22 **NORTHERN DISTRICT OF CALIFORNIA**

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

27 Plaintiffs,

28 v.

LIFE INSURANCE COMPANY OF
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 CA

**JOINT STIPULATION TO
CONTINUE HEARING ON
DEFENDANT LIFE INSURANCE
COMPANY OF THE
SOUTHWEST'S MOTION FOR
JUDGMENT ON THE PLEADINGS**

Pursuant to Local Rules 7-11 and 40-1, this Stipulation is made by and between plaintiffs Joyce Walker, Kim Bruce Howlett, and Muriel Spooner (“Plaintiffs”), and Defendant Life Insurance Company of the Southwest (“LSW” or “Defendant”).

RECITALS

WHEREAS, on July 25, 2011, LSW filed a Motion for Judgment on the Pleadings pursuant to Federal Rule of Civil Procedure 12(c) (the “Motion”);

WHEREAS, LSW noticed the Motion for hearing on September 12, 2011;

WHEREAS, counsel for Plaintiffs advised LSW before it filed the Motion that, based on their current schedules, Plaintiffs’ lead counsel’s commitments in other cases may prevent them from appearing on September 12, 2011;

WHEREAS, it is now clear that neither Mr. Brosnahan nor Mr. Freiberg can appear on September 12;

WHEREAS, the parties have agreed to October 17, 2011 as an acceptable date that will work for all counsel;

WHEREAS, the parties have not previously requested a continuance of the hearing date on the Motion;

WHEREAS, good cause exists to continue the hearing because Plaintiffs’ lead counsel are unable to appear on September 12;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties:

1. The date for the Motion is continued for five weeks until October 17, 2011;
2. Pursuant to Local Rule 7-11, the time for filing and serving LSW’s reply papers is extended to fourteen (14) days preceding the new hearing date. LSW’s reply papers will be due October 3, 2011.

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
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1 DATED: August 24, 2011

KASOWITZ BENSON TORRES & FRIEDMAN
LLP

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5 By: /s/ Charles N. Freiberg
Charles N. Freiberg

6 Attorneys For Plaintiffs
7 JOYCE WALKER, KIM BRUCE HOWLETT,
8 and MURIEL SPOONER, on behalf of
9 themselves and all others similarly situated

10
11 WILMER CUTLER PICKERING HALE AND
12 DORR LLP

13
14 By: /s/ Jonathan A. Shapiro
Jonathan A. Shapiro

15 Attorneys For Defendant
16 LIFE INSURANCE COMPANY OF THE
17 SOUTHWEST
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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 Kasowitz, Benson, Torres & Friedman LLP, 101 California Street, Suite 2300, San Francisco, California 94111. On August 24, 2011, I served the within document(s):

JOINT STIPULATION TO CONTINUE HEARING ON DEFENDANT LIFE INSURANCE COMPANY OF THE SOUTHWEST’S MOTION FOR JUDGMENT ON THE PLEADINGS

[PROPOSED] ORDER

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

Jonathan A. Shapiro
WILMER CUTLER PICKERING HALE AND DORR LLP
950 Page Mill Road
Palo Alto, CA 94304

/s/ Jo Anne Childress
Jo Anne Childress

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