

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARY ANN SIVOLELLA, for the use and benefit of the EQ/Common Stock Index Portfolio, the EQ/Equity Growth PLUS Portfolio, the EQ/Equity 500 Index Portfolio, the EQ/Large Cap Value PLUS Portfolio, the EQ/Global Multi-Sector Equity Portfolio, the EQ/Mid Cap Value PLUS Portfolio, the EQ/GAMCO Small Company Value, and the EQ/Intermediate Government Bond Index Portfolio,

Plaintiff,

vs.

AXA EQUITABLE LIFE INSURANCE COMPANY
and AXA EQUITABLE FUNDS MANAGEMENT
GROUP, LLC,

Defendants.

Civil Action No. 3:11-cv-04194 (PGS)
(DEA)

and

Civil Action No. 3:13-cv-00312 (PGS)
(DEA)

GLENN D. SANFORD, *et al.*,

Plaintiffs,

vs.

AXA EQUITABLE FUNDS MANAGEMENT
GROUP, LLC

Defendant.

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER REGARDING
ORAL ARGUMENT DATE AND DEADLINES FOR
DISPOSITIVE AND NON-DISPOSITIVE MOTIONS**

WHEREAS, Plaintiffs and Defendants (the "Parties") served a total of nine motions on January 23, 2015, including the Parties' respective summary judgment motions and associated statements of undisputed facts (the "Summary Judgment Motions"), motions to strike expert testimony and/or reports (the "Daubert Motions"), and motions *in limine* (the "In Limine Motions") (collectively, the "Motions");

WHEREAS, counsel for Plaintiffs are not available on the date recently set for oral argument on the Motions—April 20, 2015;

WHEREAS, the Parties understand that the next available date on which the Motions may be heard by the Court is May 4, 2015;

WHEREAS, the Parties agree, subject to the approval of the Court, that oral argument on the Motions shall be adjourned until May 4, 2015;

WHEREAS, the Parties are currently scheduled to submit Opposition briefs on the Summary Judgment and *Daubert* Motions by March 2, 2015 and Reply briefs by April 9, 2015;

WHEREAS, the Parties agree, subject to the Court's approval, that the *In Limine* Motions should be placed on the same briefing schedule as the Summary Judgment and *Daubert* Motions;

WHEREAS, the Parties further agree, subject to the approval of the Court, that given the number of motions filed by each of the Parties and the anticipated two-week adjournment of the oral argument date, the deadline for filing Opposition briefs to the Motions shall be extended from March 2, 2015 to March 13, 2015; and

WHEREAS, the Parties further agree, subject to the approval of the Court, that the deadline for filing Reply briefs relating to the Motions shall correspondingly be extended from April 9, 2015 to April 20, 2015;

NOW, THEREFORE, the Parties hereby STIPULATE AND AGREE, by and through their undersigned counsel and subject to the Court's approval, as follows:

1. All Motions shall be placed on the same schedule for briefing and oral argument.
2. Oral argument on all Motions will be held on May 4, 2015, at such place and time as the Court orders.
3. The Parties shall serve their respective Opposition briefs relating to all Motions no later than March 13, 2015.
4. The Parties shall serve their respective Reply briefs relating to all Motions no later than April 20, 2015.

Dated: February 10, 2015

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Respectfully submitted,

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SO ORDERED.

February 11, 2015



Hon. Peter G. Sheridan, U.S.D.J.