

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.

PGS

**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, the Parties' respective briefs and related supporting papers in opposition to the Motions ("Opposition Briefs") are currently scheduled to be filed on March 13, 2015 (Dkt No. 113);

WHEREAS, counsel for Plaintiffs has temporarily lost the services of two attorneys due to two unexpected circumstances: one attorney is tending to his child who is in a hospital intensive care unit, and another attorney was unexpectedly deployed by the military to South Korea on short notice;

WHEREAS, Plaintiffs seek a one-week extension of the deadline to file their Opposition Briefs from March 13, 2015, to March 20, 2015, and Defendants have consented to that request;

WHEREAS, the Parties agree, subject to Court approval, their respective Opposition Briefs will now be due on March 20, 2015;

WHEREAS, the Parties are currently scheduled to file their respective reply briefs and related supporting papers ("Reply Briefs") on April 20, 2015, however, to account for the above extension, and the number of Reply Briefs to be filed, the Parties jointly request a two-week extension from that date such that, subject to Court approval, the deadline for the Parties to file their Reply Briefs will be extended from April 20, 2015, until May 4, 2015;

WHEREAS, the Court has presently scheduled oral argument on the Motions ("Oral Argument") for May 4, 2015;

WHEREAS, if the above extensions are approved, Oral Argument would be scheduled to take place the same day the Reply Briefs are filed;

WHEREAS, subject to the Court's approval, the Parties request that Oral Argument be rescheduled from May 4, 2015 to May 28, 2015, or to any other day convenient for the Court;

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

1. The Parties shall serve their Opposition Briefs no later than March 20, 2015.
2. The Parties shall serve their Reply Briefs no later than May 4, 2015;

June 2 at 2:00 p.m.

3. Oral argument is rescheduled from May 4, 2015 to ~~May 28~~, 2015 or _____]. (In the event May 28, 2015 is not convenient for the Court, the Parties have inserted a blank line for the Court to insert a date that is convenient for it).

Dated: March 6, 2015

By: /s/ Robert Lakind
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Respectfully submitted,


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SO ORDERED.

March 13, 2015


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