

Misty A. Murray (SBN 196870)
MAYNARD NEXSEN LLP
10100 Santa Monica Blvd, Suite 550
Los Angeles, CA 90067
Tel: (310) 596-4377
Email: misty.murray@maynardnexsen.com

Earl B. Austin III (admitted *pro hac vice*)
BAKER BOTTS L.L.P.
Ross Avenue, Suite 900
Dallas, TX 75201-2980
Tel: (214) 953-6542
Fax: (214) 661-4542
Email: earl.austin@bakerbotts.com

Sarah Reeves (admitted *pro hac vice*)
BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112-4498
Tel: (212) 408-2649
Fax: (212) 269-2449
Email: sarah.reeves@bakerbotts.com

*Attorneys for Defendants Aetna Inc. and
Aetna Life Insurance Company*

Rebecca Peterson-Fisher (State Bar No. 255359)
Jennifer L. Liu (State Bar No. 279370)
KATZ BANKS KUMIN LLP
235 Montgomery St. Suite 665
San Francisco, CA 94104
Tel: (415) 813-3260
Fax: (415) 813-2495
Email: peterson-fisher@katzbanks.com
liu@katzbanks.com

Barbara J. Chisholm (SBN 224656)
Danielle E. Leonard (SBN 208201)
Connie K. Chan (SBN 284230)
Robin S. Tholin (SBN 344845)
ALTSHULER BERZON LLP
177 Post Street, Suite 300
San Francisco, CA 94108
Tel: (415) 421-7151
Fax: (415) 362-8064
Email: bchisholm@altshulerberzon.com
dleonard@altshulerberzon.com
cchan@altshulerberzon.com
rtholin@altshulerberzon.com

*Attorneys for Plaintiff and the Putative Class
Additional counsel listed on following page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MARA BERTON, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

AETNA INC. and AETNA LIFE INSURANCE
COMPANY,
Defendants.

Case No. 4:23-cv-01849-HSG

**JOINT STIPULATION
REQUESTING SECOND
EXTENSION OF DEADLINE TO
MOVE FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AND
CONTINUANCE OF HEARING;
ORDER**

Michelle Banker (admitted *pro hac vice*)
Alison Tanner (admitted *pro hac vice*)
Noel León (admitted *pro hac vice*)
NATIONAL WOMEN'S LAW CENTER
1350 I Street NW, Suite 700
Washington, DC 20005
Tel: (202) 588-5180
Email: mbanker@nwlc.org
atanner@nwlc.org
nleon@nwlc.org

Hugh Baran (admitted *pro hac vice*)
KATZ BANKS KUMIN LLP
111 Broadway, Suite 1403
New York, NY 10006
Tel: (646) 759-4501
Fax: (646) 759-4502
Email: baran@katzbanks.com

Marilyn Robb (admitted *pro hac vice*)
KATZ BANKS KUMIN LLP
11 Dupont Circle NW, Suite 600
Washington, DC 20036
Tel: (202) 299-1140
Fax: (202) 299-1148
Email: robb@katzbanks.com

Attorneys for Plaintiff and the Putative Class

1 Counsel for the parties to the above-entitled action have met and conferred regarding
2 the proposed change to the case schedule set forth herein. Pursuant to Civil Local Rules 6-2 and
3 7-12 and the Court's Standing Order for Civil Cases, Plaintiff Mara Berton ("Plaintiff") and
4 Defendants Aetna, Inc. and Aetna Life Insurance Company ("Aetna" or "Defendants")
5 (collectively, the "Parties"), by and through their attorneys of record herein, submit the
6 following Joint Stipulation Requesting Second Extension of Deadline to Move for Preliminary
7 Approval of Class Action Settlement and Continuance of Hearing to extend the deadline to
8 submit a motion for preliminary approval currently set for July 21, 2025 (ECF No. 124) to
9 August 21, 2025, and continue the preliminary approval hearing currently set for August 28,
10 2025 at 2:00 pm (ECF No. 125) to September 25, 2025 at 2:00 pm, or as soon as thereafter as
11 the Court is available.

12 WHEREAS, after attending three full-day mediation sessions with Hon. Steven M.
13 Gold, including most recently on March 4, 2025, the parties reached a settlement in principle as
14 to nearly all material terms regarding substantive monetary and non-monetary relief;

15 WHEREAS, at the March 11, 2025 case management conference before the Court, the
16 parties reported that they had reached a settlement in principle but were still negotiating several
17 specific items on their term sheet, and the Court vacated all pending deadlines and set a
18 deadline for submitting a motion for preliminary approval of June 20, 2025;

19 WHEREAS, the Parties cooperated in good faith to negotiate the term sheet, but only
20 reached agreement on material non-monetary and monetary terms such that they were able to
21 execute a memorandum of understanding on May 23, 2025;

22 WHEREAS, the Parties filed a joint stipulation on May 29, 2025 to extend the deadline
23 to submit a motion for preliminary approval to July 21, 2025 to afford the Parties adequate time
24 to finalize a long-form settlement agreement and agree on a Claims Administrator (ECF No.
25 123);

1 WHEREAS, the Court signed the parties' stipulation on May 30, 2025 (ECF No. 124),
2 and issued an Amended Scheduling Order setting a hearing date for August 28, 2025 at 2:00
3 p.m. on June 26, 2025 (ECF No. 125);

4 WHEREAS, Plaintiff has drafted a proposed long-form settlement agreement, obtained
5 bids from several claims administrators, and proposed a Claims Administrator to Defendants;

6 WHEREAS, the Parties have reviewed and have actively been discussing the proposed
7 long-form settlement agreement, however the Parties need additional time to reach final
8 agreement on certain terms and to execute the long-form settlement agreement;

9 WHEREAS, although Plaintiff has proposed a Claims Administrator who has in the
10 past met Defendants' security requirements for settlement administration, there have been
11 substantial changes under the Health Insurance Portability and Accountability Act ("HIPAA")
12 and the Health Information Technology for Economic and Clinical Health ("HITECH") Act
13 that require Defendants to conduct an updated National Institute of Standards and Technology
14 ("NIST") compliance audit for any vendor before they can be hired and given access to
15 personal health information, even if that vendor has worked for Aetna in the past;

16 WHEREAS, the Parties must determine whether the proposed Claims Administrator
17 can undergo the audit in a reasonable time period or whether a different Claims Administrator
18 should be used;

19 WHEREAS, Plaintiff has proposed a Claims Administrator that has not yet undergone a
20 NIST compliance audit with Defendants, so Defendants require additional time to undertake
21 that audit process and confirm the proposed Claims Administrator has passed before they can
22 be approved for this settlement;

23 WHEREAS, the Parties have conferred and agree that another one-month extension of
24 the deadline to submit the motion for preliminary approval is necessary to provide the Court
25 with a final, signed long-form settlement agreement identifying an agreed-upon Claims
26 Administrator and proposed Class Notice and claim forms;

WHEREAS, the Parties have previously requested a single one-month extension of the deadline to submit the motion for preliminary approval and have not previously sought a continuance of the preliminary approval hearing;

THE PARTIES THEREFORE stipulate and jointly respectfully request that the deadline to submit the motion for preliminary approval set forth in the Court's May 30, 2025 Order (ECF No. 124) be extended for good cause by one month and the preliminary approval hearing be continued for good cause by four weeks as follows:

Event	Current Deadline	Stipulated Deadline
Deadline to file motion for preliminary approval of class action settlement	July 21, 2025	August 21, 2025
Hearing on motion for preliminary approval of class action settlement	August 28, 2025 at 2:00 pm	October 2, 2025 at 2:00 pm

Respectfully submitted,

KATZ BANKS KUMIN LLP

DATED: July 15, 2025

/s/ Rebecca Peterson-Fisher

Rebecca Peterson-Fisher
235 Montgomery St. Suite 665
San Francisco, CA 94104
Tel: (415) 813-3260
Fax: (415) 813-2495
Email: Peterson-Fisher@katzbanks.com

Attorneys for Plaintiff and the Putative Class

MAYNARD NEXSEN LLP

DATED: July 15, 2025

/s/ Earl B. Austin

Misty A. Murray
10100 Santa Monica Blvd, Suite 550
Los Angeles, CA 90067
Telephone: (310) 596-4377
Email: misty.murray@maynardnexsen.com

BAKER BOTTS LLP

Earl B. Austin, III
2001 Ross Avenue, Suite 900
Dallas, TX 75201-2980
Tel: (214) 953-6542
Fax: (214) 661-4542
Email: earl.austin@bakerbotts.com

Sarah Reeves
30 Rockefeller Plaza
New York, NY 10112-4498
Tel: (212) 408-2649
Fax: (212) 259-2449
Email: sarah.reeves@bakerbotts.com

*Attorneys for Defendants Aetna Inc. and Aetna
Life Insurance Inc.*


SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3) regarding signatures, I, Rebecca Peterson-Fisher,
hereby attest that concurrence in the filing of this document has been obtained from the other
signatory to this document.

/s/ Rebecca Peterson-Fisher
Rebecca Peterson-Fisher

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 DATED: 7/16/2025


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE