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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 EXTENSION OF
DEADLINES SET IN MARCH 21,
2024 SCHEDULING ORDER**

1 Michelle Banker (admitted *pro hac vice*)
2 Alison Tanner (admitted *pro hac vice*)
3 Noel León (admitted *pro hac vice*)
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11 *Attorneys for Plaintiff and the Putative Class*

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1 Counsel for the parties to the above-entitled action have met and conferred regarding
2 the proposed changes to the case schedule set forth herein. Pursuant to Civil Local Rules 6-2
3 and 7-12 and the Court’s Standing Order for Civil Cases, Plaintiff Mara Berton (“Plaintiff”)
4 and 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 and Request for Extension of Deadlines Set in the Court’s March
7 21, 2024 Scheduling Order, ECF No. 77:

8 WHEREAS, on October 30, 2024, the Parties attended a full-day mediation with Hon.
9 Steven M. Gold, a respected and well-known mediator with extensive experience mediating
10 class actions, who successfully mediated a class settlement in a related case against Defendant
11 Aetna Life Insurance Company involving a New York-only class, *Goidel et al. v. Aetna Life*
12 *Ins. Co.*, Case No. 1:21-cv-07619-VSB-VF (S.D.N.Y.), ECF No. 98 (granting preliminary
13 approval);

14 WHEREAS, the mediation was fruitful, and the Parties continue to be engaged in good
15 faith settlement discussions;

16 WHEREAS, the Parties are diligently and cooperatively working with one another to
17 prioritize discovery relevant to their mediation efforts, and furthermore are working to schedule
18 another full-day mediation with Hon. Steven M. Gold to take place in early 2025, based on
19 Judge Gold’s availability;

20 WHEREAS, to enable the Parties to allocate the necessary time and resources to
21 continued settlement discussions and preparing for a second day of mediation, the Parties agree
22 that a four-month extension of all existing case deadlines is necessary and appropriate;

23 WHEREAS, the Parties have not previously requested any extensions of the deadlines
24 relating to class certification;

25 THE PARTIES THEREFORE stipulate and jointly respectfully request that the
26 deadlines set forth in the Court’s March 21, 2024 Scheduling Order (ECF No. 77) be extended
27 for good cause as follows:

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Event	Previous Deadline	Stipulated Deadline
Deadline to file motion for class certification	December 13, 2024	April 14, 2025
Deadline to file opposition to motion for class certification	January 24, 2025	May 27, 2025
Deadline to file reply in support of motion for class certification	February 14, 2025	June 16, 2025
Hearing on motion for class certification	March 13, 2025 at 2:00 pm	July 14, 2025 at 2:00 pm

Respectfully submitted,

KATZ BANKS KUMIN LLP



DATED: November 25, 2024

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Attorneys for Plaintiff and the Putative Class

MAYNARD NEXSEN LLP

DATED: November 25, 2024

/s/ Earl B. Austin
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*Attorneys for Defendants Aetna Inc. and Aetna
Life Insurance Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

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

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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.



Rebecca Peterson-Fisher

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25 *Attorneys for Plaintiff and the Putative Class*

26 UNITED STATES DISTRICT COURT
27 NORTHERN DISTRICT OF CALIFORNIA,
28 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

**DECLARATION OF REBECCA
PETERSON-FISHER IN SUPPORT
OF JOINT STIPULATION
REQUESTING EXTENSION OF
DEADLINES SET IN MARCH 21,
2024 SCHEDULING ORDER**

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DECLARATION OF REBECCA PETERSON-FISHER

I, Rebecca Peterson-Fisher, hereby declare as follows:

1. I am an attorney at the law firm of Katz Banks Kumin LLP, counsel of record for Plaintiff Mara Berton and the putative class in this action. I submit this declaration in support of the Joint Stipulation Requesting Extension of Deadlines Set in March 21, 2024 Scheduling Order pursuant to Civil Local Rules 6-2 and 7-12 and the Court’s Standing Order for Civil Cases. I am fully familiar, based on personal knowledge, with the facts set forth in this declaration and if called as a witness in this action, I could and would testify competently to these facts.

2. On October 30, 2024, Plaintiff Mara Berton (“Plaintiff”) and Defendants Aetna, Inc. and Aetna Life Insurance Company (“Aetna” or “Defendants”) (collectively, the “Parties”) attended a full-day mediation with Hon. Steven M. Gold, a respected and well-known mediator with extensive experience mediating class actions, who successfully mediated a class settlement in a related case against Defendant Aetna Life Insurance Company involving a New York-only class, *Goidel et al. v. Aetna Life Ins. Co.*, Case No. 1:21-cv-07619-VSB-VF (S.D.N.Y.), ECF No. 98 (granting preliminary approval).

3. The mediation was fruitful, and the Parties continue to be engaged in good faith settlement discussions.

4. The Parties are diligently and cooperatively working with one another to prioritize discovery relevant to their mediation efforts, and furthermore are working to schedule another full-day mediation with Hon. Steven M. Gold to take place in early 2025, based on Judge Gold’s availability.

5. To enable the Parties to allocate the necessary time and resources to continued settlement discussions and preparing for a second day of mediation, the Parties have agreed that a four-month extension of all existing case deadlines is necessary and appropriate. The Parties have not previously requested any extensions of the deadlines relating to class certification.

1 I declare under penalty of perjury under the laws of the State of California and the
2 United States that the foregoing is true and correct. Executed this 25th day of November 2024
3 in Alameda, California.

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5 Dated: November 25, 2024

KATZ BANKS KUMIN LLP

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Rebecca Peterson-Fisher
Attorney for Plaintiff

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