

1 Carlo Coppo, Esq./CSB No. 34226
 Michael R. Popcke, Esq./CSB No. 122215
 2 **DiCARO, COPPO & POPCKE**
 San Diego Office
 3 2780 Gateway Road
 Carlsbad, California 92009-1730
 4 Telephone: 760-918-0500
 Facsimile: 760-918-0008

5 Attorneys for Defendants CORCORAN DISTRICT HOSPITAL, a district hospital;
 6 JONATHAN BRENN, CEO of CORCORAN DISTRICT HOSPITAL and an individual;
 JAMES CARTER THOMAS, M.D., an individual; SUE FAIRCHILD, Operating Room
 7 Supervisor for CORCORAN DISTRICT HOSPITAL and an individual; LISA IVERS, Chief
 Nursing Officer of CORCORAN DISTRICT HOSPITAL and an individual.
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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

12 LYLE D. GRIFFITH, M.D., an individual,)
 13)
 Plaintiff,)
 14)
 v.)
 15)
 CORCORAN DISTRICT HOSPITAL, a)
 16 district hospital; JONATHAN BRENN,)
 CEO of CORCORAN DISTRICT)
 17 HOSPITAL and an individual; DAVID)
 HILL, an individual; JAMES CARTER)
 18 THOMAS, M.D., an individual; LISA)
 IVERS, Chief Nursing Officer of)
 19 CORCORAN DISTRICT HOSPITAL and)
 an individual; SUE FAIRCHILD,)
 20 Operating Room Supervisor for)
 CORCORAN DISTRICT HOSPITAL and)
 21 an individual; and DOES 1 through 25,)
 inclusive,)
 22)
 Defendants.)
 23)

NO. 1:09-CV-02132-LJO-GSA

**STIPULATION FOR JOINDER OF
 DEFENDANT LISA IVERS TO
 DEFENDANTS' 12(b)(1) MOTION TO
 DISMISS; PROPOSED ORDER**

Date: March 22, 2010
Time: 8:30 a.m.
Judge: HON. LAWRENCE J. O'NEILL
Dept: 4
Magistrate: HON. GARY S. AUSTIN
Dept: 10
Complaint filed: December 8, 2009

24 **RECITALS**

25 Defendants CORCORAN DISTRICT HOSPITAL, a district hospital; JONATHAN
 26 BRENN, CEO of CORCORAN DISTRICT HOSPITAL and an individual; JAMES CARTER
 27 THOMAS, M.D., an individual; SUE FAIRCHILD, Operating Room Supervisor for
 28 CORCORAN DISTRICT HOSPITAL and an individual; have previously appeared by and

1 through the law firm of DiCaro, Coppo & Popcke, and have filed a Federal Rule of Civil
2 Procedure (FRCP) 12(b)(1) Motion to Dismiss, currently set for hearing on March 22, 2010.

3 Defendant LISA IVERS has recently been served with plaintiff's Summons and
4 Complaint on February 18, 2010. Ms. Ivers will also currently be represented by DiCaro,
5 Coppo & Popcke. The same FRCP 12(b)(1) Motion to Dismiss would be filed on behalf of
6 defendant Lisa Ivers, setting forth the same factual and legal arguments as the current
7 pending Motion to Dismiss. Judicial economy and the interests of the parties and court
8 would be best served if Lisa Ivers is included and joined within the relief sought by said
9 Motion to Dismiss brought by all the other defendants.

10 **STIPULATION**

11 Based upon the above recitals, IT IS HEREBY STIPULATED by and between the
12 parties hereto, through their respective attorneys, that defendant LISA IVERS, may be
13 included in the FRCP 12(b)(1) Motion to Dismiss of Defendants CORCORAN DISTRICT
14 HOSPITAL, a district hospital; JONATHAN BRENN, CEO of CORCORAN DISTRICT
15 HOSPITAL and an individual; JAMES CARTER THOMAS, M.D., an individual; SUE
16 FAIRCHILD, Operating Room Supervisor for CORCORAN DISTRICT HOSPITAL and an
17 individual, currently set for hearing on March 22, 2010.

18
19 **DATED: March 8, 2010**

DiCARO, COPPO & POPCKE

20 /s/ Carlo Coppo

21 **By:**

22 **CARLO COPPO, ESQ.**
23 **MICHAEL R. POPCKE, ESQ.**
24 **Attorneys for Defendants**
25 CORCORAN DISTRICT HOSPITAL, a district
26 hospital; JONATHAN BRENN, CEO of
27 CORCORAN DISTRICT HOSPITAL and an
individual; JAMES CARTER THOMAS,
M.D., an individual; SUE FAIRCHILD,
Operating Room Supervisor for
CORCORAN DISTRICT HOSPITAL and an
individual; and LISA IVERS Chief Nursing
Officer of CORCORAN DISTRICT
HOSPITAL and an individual

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1 **DATED: March 8, 2010**

FARLEY LAW FIRM

/s/ Rhys Boyd-Farrell, Esq.

2 **By:**

3 MICHAEL L. FARLEY, ESQ.
4 RHYS BOYD-FARRELL, ESQ.
5 Attorneys for Plaintiff
6 LYLE D. GRIFFITH, M.D.

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8 **ORDER**

9 Based upon the above Recitals and Stipulation, and good cause appearing, IT IS
10 HEREBY ORDERED that defendant LISA IVERS be included with the pending March 22,
11 2010 FRCP 12(b)(1) Motion to Dismiss, brought by the other defendants.

12 IT IS SO ORDERED.

13 **Dated: March 10, 2010**

/s/ Lawrence J. O'Neill
14 UNITED STATES DISTRICT JUDGE