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AGENCY SOLUTIONS.COM, LLC d.b.a.
11 HEALTHCONNECT SYSTEMS

12 IN THE UNITED STATES DISTRICT COURT

13 EASTERN DISTRICT OF CALIFORNIA

14 FRESNO DIVISION

15
16 AGENCY SOLUTIONS.COM, LLC d.b.a.
HEALTHCONNECT SYSTEMS,

17 Plaintiff,

18 v.

19 THE TRIZETTO GROUP, INC.,

20 Defendant,
21

Civil Action No. 11-cv-01014-AWI-GSA

**STIPULATION AND ORDER FOR
EXPEDITED DISCOVERY**

1 WHEREAS, on June 17, 2011, Plaintiff Agency Solutions.com, LLC d.b.a.
2 HealthConnect Systems (HCS) filed a Motion for Expedited Discovery from Defendant The
3 TriZetto Group, Inc. (TZG) to be heard on June 27, 2011 (Dkt.# 6-0);

4 WHEREAS, on June 24, 2011, the Court issued a Minute Order indicating that the June
5 27, 2011 hearing was taken off calendar and that the Court would issue a written order on HCS's
6 Motion for Expedited Discovery (Dkt.# 17);

7 WHEREAS, on June 24, 2011, HCS and TZG, through counsel, reached agreement as to
8 certain expedited discovery that HCS will obtain from TZG (as described below), as well as
9 certain expedited discovery that TZG will obtain from HCS (as described below);

10 WHEREAS, on June 24, 2011, HCS, through counsel, informed the Court that the parties
11 had reached agreement as to certain expedited discovery and that the Court need not issue a
12 written order on HCS's Motion for Expedited Discovery;

13 NOW, THEREFORE, IT IS HEREBY STIPULATED BY THE UNDERSIGNED THAT:

14 1. TZG has accepted service of the Rule 30(b)(6) deposition notice attached as
15 Exhibit A to HCS's Motion for Expedited Discovery (Dkt.# 6-1) (as well as Exhibit 1
16 thereto filed under seal), and TZG will make its Rule 30(b)(6) witness(es) available for
17 deposition on July 7, 2011 at the offices of TZG's counsel in Orange County.

18 2. TZG has accepted service of the Rule 34 document request attached as Exhibit B
19 to HCS's Motion for Expedited Discovery (Dkt.# 6-2), and TZG will make a production
20 of documents responsive to HCS's Rule 34 document request at least one day in advance
21 of the Rule 30(b)(6) deposition of TZG;

22 3. HCS will make Daniel Masciopinto available for deposition on June 30, 2011 at
23 the offices of HCS's counsel in Palo Alto regarding the following topics: (a) The matters
24 set forth in his Declaration in Support of Preliminary Injunction (Dkt.# 5-8) (including
25 exhibits thereto and any portion of the declaration or exhibits filed under seal) and
26 Appendix 1 to the Complaint; (b) What were HCS's contributions to QuoteToCard; (c)
27 What portions of QuoteToCard, if any, are HCS's, TZG's, jointly HCS's-TZG's under the
28 terms of paragraph 8 of the Agreement; (d) The people with whom Mr. Masciopinto

1 worked on QuoteToCard; (e) Who are HCS's competitors as that term is used in the
2 Agreement; and (f) current use and plans for use by HCS of the portions of QuoteToCard
3 that HCS developed under the Agreement. HCS's counsel agrees to accept service of a
4 deposition notice for Mr. Masciopinto regarding the above referenced topics.

5 4. TZG is not now seeking any document production from HCS in connection with
6 the deposition of Mr. Masciopinto. HCS agrees to comply with any reasonable request by
7 TZG for production of documents in connection with the deposition of Mr. Masciopinto,
8 if HCS is given sufficient time to comply.

9 5. HCS and TZG agree that all the expedited discovery referenced in this stipulation
10 is without prejudice to either HCS or TZG later seeking other discovery, including
11 without limitation the depositions of the individuals produced for this limited purpose.

12 6. HCS and TZG will, through counsel, further meet and confer regarding a
13 protective order for this case.

14
15 **IT IS SO STIPULATED**

16
17 Dated: June 24, 2011.

MANATT, PHELPS & PHILLIPS, LLP

18 By: /s/ Ronald S. Katz

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*Attorneys for Plaintiff Agency Solutions.com,
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Dated: June 24, 2011.

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

By: /s/ Brian M. Daucher
BRIAN M. DAUCHER

Attorneys for Defendant
THE TRIZETTO GROUP, INC.

The Stipulation is HEREBY adopted in full.

IT IS SO ORDERED.

Dated: June 27, 2011

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE