

1 Daniel O. Jamison, Esq. #76880
2 Christopher E. Seymour, Esq. # 126330
3 DOWLING AARON INCORPORATED
4 8080 N. Palm Avenue
5 Third Floor
6 Fresno, CA 93711
7 559-432-4500 Tel.
8 559-432-4590 Fax
9 djamison@dowlingaaron.com; cseymour@dowlingaaron.com
10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 Horisons Unlimited, a California nonprofit
14 corporation, and Horisons Unlimited Health
15 Care, a California Corporation,

16 Plaintiffs,

17 vs.

18 Santa Cruz-Monterey-Merced Managed
19 Medical Care Commission dba Central
20 California Alliance for Health; County of
21 Merced; The Board of Supervisors of the
22 County of Merced and the
23 Individual Members Thereof,

24 Defendants.

Case No. 1:14-cv-00123 LJO/MJS

**STIPULATION TO CONTINUE MAY 8,
2014 SCHEDULING CONFERENCE AND
RELATED FED. R. CIV. PROC. RULE 26
DATES AND ORDER THEREON**

**DATE: May 8, 2014
TIME: 10:00 a.m.
CRTM: 6**

1 The parties hereto, by and through the undersigned, hereby stipulate and agree
2 that the Court may enter an order continuing the presently scheduled May 8, 2014 Scheduling
3 Conference, the due date of the Fed. Rules of Civ. Procedure Rule 26(a) for exchange of Initial
4 Disclosures, and the due date for the Joint Scheduling Report, as follows:

5 1. Date for Scheduling Conference: 45 days following the addition of parties
6 to the action, if any, and the completion of the pleadings, meaning the last answer to the last
7 counterclaim, if any, or last answer to a third party complaint, if any, whichever is later.

8 2. The due date for Initial Disclosures under Rule 26(a) be continued to 30
9 days following the aforementioned completion of the pleadings; and

10 3. The due date for the parties' Joint Scheduling Report be set for 7 days
11 prior to the continued date for the Scheduling Conference.

12 The parties further stipulate and agree that this stipulation is offered to the Court
13 upon the following grounds:

14 1. On April 8, 2014, the attorneys for the parties held a lengthy Rule 26(f)
15 conference.

16 2. There are currently pending motions to dismiss under Rule 12(b)(6) and
17 12(b)(1) brought by both defendants and scheduled to be heard on April 28, 2014.

18 3. There is also pending the County of Merced's Motion for Sanctions under
19 Rule 11 scheduled to be heard on May 15, 2014.

20 4. At the Rule 26(f) conference, counsel for defendants asserted that the State
21 of California and the United States of America must be added as parties to the action should the
22 action survive the pending motions to dismiss.

23 5. At the Rule 26(f) conference counsel for Santa Cruz-Monterey-Merced
24 Managed Medical Care Commission stated he expects to file one or more counterclaims should
25 the action survive the pending motions to dismiss.

26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DOWLING AARON INCORPORATED

Dated: April 14, 2014

By: /s/Daniel O. Jamison
Daniel O. Jamison
Attorneys for Plaintiffs

Dated: April 14, 2014

By: /s/Roger S. Matzkind
Roger S. Matzkind, Esq.,
Attorneys for County of Merced

WILKE FLEURY HOFFELT GOULD
& BIRNEY LLP

Dated: April 11, 2014

By: /s/Anthony R. Eaton
Anthony R. Eaton, Esq.
Attorneys for Santa Cruz-Monterey-Merced
Managed Medical Care Commission
dba Central California Alliance for Health

ORDER

Based on the above stipulation and good cause appearing, the Initial Scheduling Conference set for May 8, 2014 at 10:00 am is CONTINUED to July 31, 2014 at 10:00 am before Magistrate Judge Michael J. Seng.

IT IS SO ORDERED.

Dated: April 14, 2014

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

W:\NETDRIVE\wdocs\maindocs\16082\001\01512212.DOCX