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10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 UNITED STATES and the STATE OF  
13 CALIFORNIA *ex rel.* NICOLLE O’NEILL,  
14 NICOLLE O’NEILL

15 Plaintiffs/Relator

16 vs.

17 SOMNIA, INC., PRIMARY ANESTHESIA  
18 SERVICES, PST SERVICES LLC, ROBERT  
19 GOLDSTEIN, M.D., ROY WINSTON, M.D.,  
20 BYRON MENDENHALL, M.D., QUINN  
21 GEE, M.D., AND MARGARET VASSILEV,  
22 M.D, and DOES 1 through 10, inclusive  
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28

Defendants.

Case No. 1:15-CV-00433-DAD-EPG

**ORDER AND JOINT STIPULATION TO  
AMEND SCHEDULING ORDER**

**Complaint Filed: 09/15/15**  
**Trial Date: 02/25/2020**

**Judge: Hon. Dale A. Drozd**

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Attorneys for Plaintiff Nicolle O'Neill

1 Relator Nicole O’Neill (“Relator”) and defendants Somnia, Inc. Primary Anesthesia  
2 Services, Byron Mendenhall, M.D., Quinn Gee, M.D., and Margaret Vassilev, M.D. (collectively  
3 “Defendants”) by and through their respective counsel of record, hereby stipulate and agree as  
4 follows:

5 WHEREAS, on January 25, 2019, a telephonic informal discovery conference was held  
6 before Magistrate Judge Grosjean with counsel for Relator and Defendants appearing;

7 WHEREAS, the parties and the Court agreed that the parties require substantially more  
8 time to agree to, and execute, a sampling protocol of the anesthesia records and bills material to  
9 the resolution of this case;

10 WHEREAS, because extensive time will be required to negotiate and execute an agreed-  
11 upon sampling protocol, the current Scheduling Order does not provide sufficient time for the  
12 parties to complete discovery in this matter,

13 THEREFORE, the Parties stipulate to amend the Scheduling Order as follows:

14	<b>Mediation Completion Deadline:</b>	November 29, 2019
15	<b>Nonexpert Discovery Cutoff:</b>	February 25, 2020
16	<b>Expert Disclosure:</b>	March 24, 2020
17	<b>Rebuttal Expert Disclosure:</b>	April 22, 2020
18	<b>Expert Discovery Cutoff:</b>	June 2, 2020
19	<b>Dispositive Motion Filing Deadline:</b>	July 14, 2020
20	<b>Pretrial Conference:</b>	November 16, 2020 at 1:30 pm
21	<b>Jury Trial:</b>	January 26, 2021 at 8:30 am

22  
23 DATED: February 12, 2019

SCHONBRUN SEFLOW  
HARRIS & HOFFMAN LLP

*/s/ Wilmer J. Harris*

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25 By: \_\_\_\_\_

26 Wilmer J. Harris  
27 Attorneys for Relator/Plaintiff, Nicolle O’Neill  
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1 DATED: February 12, 2019

**NIXON PEABODY LLP**

*/s/ Jason Gonzalez*

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3 By:

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Jason Gonzalez

4 Attorneys for Defendant  
5 SOMNIA, INC., PRIMARY ANESTHESIA  
6 SERVICES, PST SERVICES, LLC, BYRON  
7 MENDENHALL, M.D., QUINN GEE, M.D., and  
8 MARGARET VASSILEV, M.D.

9 **ORDER**

10 Good cause appearing, the Scheduling Order (ECF No. 76) is modified by  
11 the parties. This schedule should be considered final with no further extensions absent  
12 unforeseeable good cause.  
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14  
15 IT IS SO ORDERED.

16 Dated: **February 12, 2019**

*/s/ Eric P. Guoj*  
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UNITED STATES MAGISTRATE JUDGE