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12 Attorneys for Relator

13 **UNITED STATES DISTRICT COURT**  
14 **EASTERN DISTRICT OF CALIFORNIA**

15 **UNITED STATES EX REL. TURNER, et**  
16 **al.,**

17 Plaintiffs,

18 v.

19 **DYNAMIC MEDICAL SYSTEMS, LLC et**  
20 **al.,**

21 Defendants.

Case No. 1:17-cv-01757-NONE-SAB

**FOURTH STIPULATION AND  
ORDER TO EXTEND TIME FOR  
DEFENDANT TO RESPOND TO  
PLAINTIFFS' COMPLAINT**

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23 IT IS HEREBY STIPULATED by and between the parties hereto through their respective  
24 attorneys that:

- 25 1. On July 1, 2020, Defendant Invacare Corporation obtained additional time to answer  
26 or otherwise respond to Plaintiffs' complaint through a filed stipulation for extension  
27 (Dkt. 94). This twenty-eight (28) day extension was properly filed without leave of  
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1 the Court pursuant to the Local Rules of Practice for the United States District Court,  
2 Eastern District. See L.R. 144. The parties agreed that the last day for Defendant  
3 Invacare Corporation to answer or otherwise respond to Plaintiffs' complaint was July  
4 29, 2020.

- 5 2. On July 29, 2020, Defendant Invacare Corporation filed a second stipulation for  
6 extension whereby the parties agreed that the last day for Defendant Invacare  
7 Corporation to answer or otherwise respond to Plaintiffs' complaint was August 26,  
8 2020 (Dkt. 100).
- 9 3. On July 30, 2020, the Court issued an order whereby Defendant Invacare  
10 Corporation's responsive pleading will be filed on or before August 26, 2020 and the  
11 scheduling conference is continued to December 1, 2020 (Dkt. 101).
- 12 4. On August 26, 2020, Defendant Invacare Corporation filed a third stipulation for  
13 extension whereby the parties agreed that the last day for Defendant Invacare  
14 Corporation to answer or otherwise respond to Plaintiffs' complaint was September 4,  
15 2020 (Dkt. 102).
- 16 5. On August 26, 2020, the Court issued an order whereby Defendant Invacare  
17 Corporation's responsive pleading will be filed on or before September 4, 2020 (Dkt.  
18 103).
- 19 6. The parties continue to actively negotiate Defendant Invacare Corporation's status in  
20 this case and to seek certain required approvals. Given these ongoing discussions,  
21 there is good cause for an additional extension of time.
- 22 7. The date for Defendant Invacare Corporation to answer or otherwise respond to  
23 Plaintiffs' complaint is extended from September 4, 2020 to September 18, 2020.  
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Respectfully submitted,

Dated: September 4, 2020

**JONES DAY**

By: /s/ Daniel A. Cody  
Daniel A. Cody

Attorneys for Defendant  
INVACARE CORPORATION

Dated: September 4, 2020

**COTCHETT, PITRE & MCCARTHY, LLP**

By: /s/ Justin T. Berger (as authorized on 9/4/2020)  
Justin T. Berger

Attorneys for Relator  
THOMAS TURNER

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**ORDER**

PURSUANT TO THIS STIPULATION, **IT IS HEREBY ORDERED THAT:**

1. Invacare Corporation's responsive pleading shall be filed on or before September 18, 2020.

IT IS SO ORDERED.

Dated: **September 4, 2020**



**UNITED STATES MAGISTRATE JUDGE**