

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

JENNIFER M. LANTZ (SBN 202252)  
jennifer.lantz@haynesboone.com  
JASON M. GONDER (SBN 257522)  
jason.gonder@haynesboone.com  
**HAYNES AND BOONE, LLP**  
2033 Gateway Place, Suite 400  
San Jose, California 95110  
Phone: (408) 392-9250  
Facsimile: (408) 392-9262

Attorneys for Plaintiff  
PASSPORT HEALTH, INC.

MATTHEW D. PEARSON (SBN 227390)  
matthew@eastsaclaw.com  
**PEARSON AND PEARSON, APC**  
225 30th Street, Suite 309  
Sacramento, CA 95816  
Phone: (916) 760-7027  
Facsimile: (916) 760-7391

Attorneys for Defendants  
TRAVEL MED, INC. and GINA FLAHARTY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA,  
SACRAMENTO DIVISION

PASSPORT HEALTH, INC., a Maryland corporation,

Plaintiff,

vs.

TRAVEL MED, INC., a California corporation and GINA FLAHARTY an individual and citizen of the State of California,

Defendants.

Case No. 09-CV-01753-GEB-JFM

**STIPULATION AND [PROPOSED] ORDER TO (1) EXTEND THE DEADLINE FOR PLAINTIFF PASSPORT HEALTH, INC.’S REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF PLAINTIFF PASSPORT HEALTH, INC.’S MOTION FOR PARTIAL SUMMARY JUDGMENT AND (2) TO CONTINUE THE OCTOBER 25, 2010 HEARING ON PLAINTIFF PASSPORT HEALTH, INC.’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

**AND RELATED COUNTERCLAIMS**

STIPULATION TO EXTEND REPLY DEADLINE AND TO CONTINUE HEARING DATE FOR  
PLAINTIFF PASSPORT HEALTH, INC.’S MOTION FOR PARTIAL SUMMARY JUDGMENT

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

Plaintiff PASSPORT HEALTH, INC.'s Motion for Partial Summary Judgment is currently scheduled for hearing on October 25, 2010 and Plaintiff PASSPORT HEALTH, INC.'s reply brief in further support of its Motion for Partial Summary Judgment is due on October 12, 2010. Due to scheduling conflicts of counsel for Plaintiff PASSPORT HEALTH, INC., Plaintiff PASSPORT HEALTH, INC. and Defendants TRAVEL MED, INC. and GINA FLAHARTY hereby stipulate to continue the hearing date on Plaintiff PASSPORT HEALTH, INC.'s Motion for Partial Summary Judgment, by one week, to **November 8, 2010**, or as soon thereafter as the motion may be heard, and to extend the deadline for Plaintiff PASSPORT HEALTH, INC. to file its reply brief, by one week, to October 19, 2010.

Respectfully submitted,  
HAYNES AND BOONE, LLP

DATED: October 8, 2010

By: /s/ Jason M. Gonder  
Jason M. Gonder  
Attorneys for Plaintiff  
PASSPORT HEALTH, INC.

PEARSON & PEARSON, APC

DATED: October 8, 2010

By: /s/ Matthew D. Pearson  
(as authorized on October 8, 2010)  
Matthew D. Pearson  
Attorneys for Defendants  
TRAVEL MED, INC. and GINA FLAHARTY

**IT IS SO ORDERED.**

Dated: October 8, 2010



---

GARLAND E. BURRELL, JR.  
United States District Judge