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15 Attorney for Defendants: GREGORY FORD
 16 GILBERT, BIONICA, INC., BIONICA INT'L, INC.,
 17 TRINA HEALTH, LLC, TRINA HEALTH OF
 18 NEWPORT BEACH, LLC, MedEdCo, LLC,
 19 DIABETIC INNOVATIONS, LLC, MELANIE J.
 20 KUNZ, MICHAEL R. MCCARTHY, MARC D.
 ROSE, KEVIN J. BUCKMAN, TIMOTHY TIGHT,
 FAISING S. CHUI, DIABETIC LIFE PULSE OF
 LOUISIANA, LLC, LIMI MANAGEMENT, INC.,
 DIABETIC LIFE PULSE, INC., LIFE PULSE
 HEALTH, LLC, JOHN D. MULLEN, GLENN A.
 WILSON, RICHARD L. GIRARD, DAVID S.
 BRADLEY

21 UNITED STATES DISTRICT COURT
 22 EASTERN DISTRICT OF CALIFORNIA

24 THOMAS T. AOKI, M.D., an
 25 individual, and AOKI DIABETES
 26 RESEARCH INSTIUTE, a California
 Non-Profit Corporation,

27 Plaintiffs

28 vs.

Case No.: 2:11-cv-02797-TLN-CKD

STIPULATION AND ORDER BY ALL
 PARTIES TO NONJURY TRIAL

Trial Date: 07/23/2018

1 GREGORY FORD GILBERT, an
2 individual; BIONICA, INC., a Nevada
3 corporation; BIONICA INT'L, LLC, a
4 California limited liability company;
5 TRINA HEALTH, LLC, a California
6 limited liability company; TRINA
7 HEALTH OF NEWPORT BEACH,
8 LLC, a California limited liability
9 company; DEEPAL CEMO
10 MEDICAL SOLUTIONS, LLC, a
11 California limited liability company
12 also doing business as AMERICAN
13 DIABETES THERAPY CENTERS;
14 SAMMY F. CEMO, an individual;
15 DEEPAL WANUWATTE, an
16 individual; HEALTH INOVATIONS,
17 LP, a California limited partnership;
18 ACSRC, LLC, a Delaware limited
19 liability company; GARY J. MUGG,
20 an individual; SHUAN "SHERRY"
21 TANG, an individual; MEDEDCO,
22 LLC, an Arizona limited liability
23 company; DIABETIC INOVATIONS,
24 LLC, a Texas limited liability
25 company; MELANIE J. KUNZ, an
26 individual; MICHAEL R.
27 McCARTHY, an individual; MARC
28 R. ROSE, M.D., an individual; KEVIN
J. BUCKMAN, M.D., an individual;
and DOES 1 - 50,

Defendants

Pursuant to Federal Rules of Civil Procedure rule 39(a), all parties in this herein matter:

Defendants GREGORY FORD GILBERT, an individual; BIONICA, INC., a Nevada corporation; BIONICA INT'L, LLC, a California Limited Liability Company; TRINA HEALTH, LLC, a California Liability Company; TRINA HEALTH OF NEWPORT BEACH, LLC, a California Limited Liability Company; KEVIN J. BUCKMAN, M.D., an individual; MARC R. ROSE, M.D., an individual; MICHAEL R. MCCARTHY, an individual; MELANIE J. KUNZ, NP, an individual; MEDEDCO, LLC, an Arizona Limited Liability Company; DIABETIC INOVATIONS, LLC, a Texas Limited Liability Company; DIABETIC LIFE PULSE OF LOUSIANA, LLC, a

1 Louisiana Limited Liability Company; LIFE PULSE HEALTH, LLC, a California
2 Limited Liability Company; JOHN D. MULLEN, an individual; GLENN A. WILSON,
3 an individual; RICHARD L. GIRARD, an individual; DAVID S. BRADLEY, an
4 individual; LIMI MANAGEMENT, INC., a corporation with its principal place of
5 business in Santa Barbara, California; DIABETIC LIFE PULSE, INC., a California
6 corporation with its principal place of business in Santa Barbara, California; TIMOTHY
7 TIGHT, an individual; and FAISING S. CHUI, an individual; and

8 Plaintiffs THOMAS T. AOKI, an individual; and AOKI DIABETES RESEARCH
9 INSTITUTE, Inc., a California non-profit corporation,

10 by and through counsel, hereby waive trial by jury and stipulate to a nonjury trial
11 in this matter.

12 ACKNOWLEDGED AND CONSENTED TO:

13 Dated: February 12, 2018

Gregory Gilbert

14
15 By /s/ Gregory Gilbert

16 Gregory Gilbert, Esq.
17 Attorney for Defendants GREGORY FORD
18 GILBERT, BIONICA, INC., BIONICA INT'L,
19 INC., TRINA HEALTH, LLC, TRINA
20 HEALTH OF NEWPORT BEACH, LLC,
21 MedEdCo, LLC, DIABETIC INNOVATIONS,
22 LLC, MELANIE J. KUNZ, MICHAEL R.
23 MCCARTHY, MARC D. ROSE, KEVIN J.
BUCKMAN, TIMOTHY TIGHT, FAISING S.
CHUI, DIABETIC LIFE PULSE OF
LOUISIANA, LLC, LIMI MANAGEMENT,
INC., DIABETIC LIFE PULSE, INC., LIFE
PULSE HEALTH, LLC, JOHN D. MULLEN,
GLENN A. WILSON, RICHARD L. GIRARD,
DAVID S. BRADLEY

24 Dated: February 12, 2018

DTN LAW GROUP

25
26 By /s/Duyen Nguyen

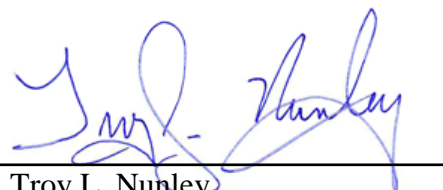
27 Duyen T. Nguyen, Esq.
28 Attorney for Plaintiffs THOMAS T. AOKI and
AOKI DIABETES RESEARCH INSTITUTE

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Pursuant to the parties' stipulation by and through counsel, it is ordered that a trial by jury is deemed waived and trial in this matter, currently set for July 23, 2018, shall be conducted by the Court.

IT IS SO ORDERED.

Dated: 2/12/2018



Troy L. Nunley
United States District Judge