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5 Attorneys for Plaintiffs  
 THOMAS T. AOKI, M.D., and  
 6 AOKI DIABETES RESEARCH INSTITUTE

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8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

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11 THOMAS T. AOKI, M.D., an individual, and ) CASE NO. 2:11-CV-02797-MCE-CKD  
 AOKI DIABETES RESEARCH INSTITUTE, )  
 12 a California Non-Profit Corporation, )

13 Plaintiffs, ) **ORDER GRANTING EX PARTE**  
 ) **REQUEST TO TAKE MOTION TO**  
 14 vs. ) **COMPEL ARBITRATION OFF-**  
 ) **CALENDAR TO BE RESET BY**  
 ) **COURT FOLLOWING RULING ON**  
 15 ) **PLAINTIFFS' MOTION TO**  
 ) **DISQUALIFY ATTORNEYS**

16 GREGORY FORD GILBERT, an individual; )  
 BIONICA, INC., a Nevada corporation; )  
 17 BIONICA INT'L, LLC, a California limited )  
 liability company; TRINA HEALTH, LLC, a )  
 18 California limited liability company; TRINA )  
 HEALTH OF NEWPORT BEACH, LLC, a )  
 19 California limited liability company; DEEPAL )  
 CEMO MEDICAL SOLUTIONS, LLC, a )  
 California limited liability company also doing )  
 business as AMERICAN DIABETES )  
 20 THERAPY CENTERS; SAMMY F. CEMO, an )  
 individual; DEEPAL WANNAKUWATTE, an )  
 21 individual; HEALTH INNOVATIONS, LP, a )  
 California limited partnership; ACSRC, LLC, a )  
 22 Delaware limited liability company; GARY J. )  
 MUGG, an individual; SHUYUAN "SHERRY")  
 23 TANG, an individual; MEDEDCO, LLC, an )  
 Arizona limited liability company; DIABETIC )  
 24 INNOVATIONS, LLC, a Texas limited liability )  
 company; MELANIE J. KUNZ, an individual; )  
 25 MICHAEL R. McCARTHY, an individual; )  
 MARC R. ROSE, M.D., an individual; KEVIN )  
 26 J. BUCKMAN, M.D., an individual; and DOES )  
 1 – 50, inclusive, )

27 )  
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 28 Defendants. )

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**ORDER**

The ex parte request submitted by plaintiffs, Thomas T. Aoki, M.D. and Aoki Diabetes Research Institute, to remove from the Court's calendar the Motion to Compel Arbitration, filed by defendants Gary Mugg, Shuyuan Tang, Health Innovations, LP, and ACSRC, LLC, and currently set for April 5, 2012, at 2:00 p.m., in Courtroom 7, is hereby GRANTED. The motion may be reset by the Court, at the request of defendants, at a later date.

IT IS SO ORDERED.

Dated: March 7, 2012

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE