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UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, and the
 STATE OF CALIFORNIA, et al., ex rel. LLOYD
 F. SCHMUCKLEY, JR.

Plaintiffs,

vs.

RITE AID CORPORATION,

Defendant.

STATE OF CALIFORNIA *ex rel.* LLOYD F.
 SCHMUCKLEY, JR.,

Plaintiffs,

Vs.

RITE AID CORPORATION,

Defendant.

Case No.: 2:12-cv-1699 KJM EFB

**JOINT MOTION TO RESCHEDULE
 HEARING OF MOTION FOR
 SANCTIONS, ECF NO. 275, AND
 EXTEND RELATED DEADLINES;
 [PROPOSED ORDER]**

Current Hearing Date: January 22, 2020

Proposed Hearing Date: February 26,
 2020

Hearing Time: 10:00 a.m.

Courtroom: 8, 13th Floor

Case No.: 2:12-cv-1699 KJM EFB

**JOINT MOTION TO RESCHEDULE HEARING OF MOTION FOR SANCTIONS, ECF
NO. 275, AND EXTEND RELATED DEADLINES**

Plaintiff State of California (“California”), *qui tam* relator Loyd F. Schmuckley, Jr. (“Relator”), and defendant Rite Aid Corporation (“Defendant,” and jointly with California and Relator, the “Parties”) hereby move to reschedule the hearing of California’s Motion for Sanctions for Failure to Comply with Court Order ECF No. 258 relating to Production of Documents Responsive to Request for Production of Documents (“RPD”) Nos. 23-26 (Board Meeting Agendas and Minutes, ECF No. 275 (“Motion”) from January 22, 2020 to February 26, 2020; move the deadline for Rite Aid to file its opposition to the Motion from January 15, 2020 to February 12, 2020, and move the deadline for California to file its reply to the opposition to the Motion from January 17, 2020 to February 19, 2020. This is to allow the Parties additional time to analyze the latest status of Rite Aid’s discovery responses and document production and informally resolve any pending and further discovery disputes.

On January 8, 2020, California filed its Motion against Rite Aid. Per Local Rules, Rite Aid’s opposition to the Motion is due on January 15, 2020, California’s reply to the opposition is due on January 17, 2020, and the hearing of the Motion is scheduled for January 22, 2020;

On January 10, 2020, Rite Aid produced additional documents and an additional privilege log purportedly responsive to RPD Nos. 23-26. On January 10, 2020, Rite Aid produced additional documents responsive to other RPD’s, including documents responsive to California’s RPD Set No. 7, and Relator’s RPD Set Nos. 2-3. As a result of Rite Aid’s additional productions, California and Relator need more time to analyze Rite Aid’s additional responses and documents;

The Parties agree for the purposes of efficiency and judicial economy that good cause exists to move the hearing of California’s Motion and related filing dates to later dates to allow the Parties additional time to informally resolve any pending and further discovery disputes. The Parties therefore jointly move for an Order extending the deadline for Rite Aid to file its opposition to the Motion to February 12, 2020, the deadline for California to file its reply to the

1 opposition to the Motion to February 19, 2020, and the hearing date of the Motion to February 26,
2 2020.¹

3 Respectfully submitted,

4 Dated: 1/15/2020

XAVIER BECERRA
Attorney General of the State of California

5
6 By /s/ Emmanuel R. Salazar

Emmanuel R. Salazar
Deputy Attorney General
Attorneys for Plaintiff-Intervenor STATE OF
8 CALIFORNIA

9 Dated: 1/15/2020

10 WATERS & KRAUS, LLP

11 By /s/ Wm. Paul Lawrence, II (authorized on
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18 Dated: 1/15/2020

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19 By /s/ Kevin M. Papay (authorized on 1/15/2020)

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24 RITE AID CORPORATION

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28 ¹ None of the Parties is waiving any defense, right or claim by filing this joint motion.

PROPOSED ORDER

The Court, having considered the Parties' Joint Motion to Reschedule Hearing of Motion for Sanctions, ECF No. 275, and Extend Related Deadlines, finds good cause and ORDERS THAT the deadline for Rite Aid Corporation to file its opposition to the Motion for Sanctions (ECF No. 275) is extended to February 12, 2020, the deadline for the State of California to file its reply to the opposition to the Motion for Sanctions (ECF No. 275) is extended to February 19, 2020, and the hearing date of the Motion for Sanctions (ECF No. 275) is moved to February 26, 2020, 10:00 A.M. in Courtroom 8.

IT IS SO ORDERED.

DATED: January 16, 2020.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE