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10
 11 UNITED STATES DISTRICT COURT
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 13 FOR THE EASTERN DISTRICT OF CALIFORNIA

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

17 Plaintiffs,

18 vs.

19 RITE AID CORPORATION, RITE AID
 HDQTRS. CORP., THRIFTY PAYLESS, INC.

20 Defendants.

21
 22 STATE OF CALIFORNIA *ex rel.* LLOYD F.
 SCHMUCKLEY, JR.,

23 Plaintiffs,

24 Vs.

25 RITE AID CORPORATION, RITE AID
 HDQTRS. CORP., THRIFTY PAYLESS, INC.

26 Defendants.

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

JOINT STIPULATION TO AMEND SCHEDULING ORDER; ORDER

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

1 **RECITALS**

2 WHEREAS, the Parties, Plaintiff State of California as represented in this action by the
3 Division of Medi-Cal Fraud and Elder Abuse (“DMFEA”) under the Office of the Attorney
4 General, Relator Loyd F. Schmuckley, Jr., and Defendants Rite Aid Corporation, Rite Aid
5 Hdqtrs. Corp., and Thrifty Payless, Inc. conducted several depositions of Defendants’ corporate
6 witnesses and designated witnesses of the Department of Health Care Services from February to
7 April 2023;

8 WHEREAS, the Parties are still receiving the final transcripts and verifications from these
9 depositions;

10 WHEREAS, DMFEA’s pharmacy expert needs to review some of the final transcripts in
11 conjunction with the review of pharmacy records in connection with 1,904 sample claims;

12 WHEREAS, DMFEA’s medical expert needs additional time to finish the review of
13 medical records in connection with 885 sample claims;

14 WHEREAS, DMFEA’s statistical expert needs to receive the findings from DMFEA’s
15 pharmacy expert and medical expert to complete the statistical analysis;

16 WHEREAS, on April 26, 2023, DMFEA asked the Parties for a short two-week extension
17 of all related deadlines in the scheduling order as outlined below;

18 WHEREAS, Defendants requested additional time to respond to DMFEA’s expert witness
19 designations; and

20 WHEREAS, the Parties in good faith have met and conferred;

21 **STIPULATION**

22 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL, THEREFORE
23 HEREBY STIPULATE AND AGREE TO THE FOLLOWING:

24 The parties agree to amend the scheduling order as follows:

Event	Current Deadline	Proposed Modified Deadline
Expert disclosures (other than sampling methodology/design)	June 5, 2023	June 19, 2023

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Attorneys for Defendants
RITE AID CORPORATION, RITE AID
HDQTRS. CORP., THRIFTY PAYLESS, INC.

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ORDER

The Court, having considered the Joint Stipulation to Amend Scheduling Order, finds good cause and ORDERS THAT the Joint Stipulation to Amend Scheduling Order is approved and FURTHER ORDERS THAT the scheduling order is amended as follows:

Event	Current Deadline	Proposed Modified Deadline
Expert Disclosures (other than sampling methodology/design)	June 5, 2023	June 19, 2023
Rebuttal expert disclosures (other than sampling methodology/design)	July 7, 2023	August 4, 2023
Expert discovery completed	August 9, 2023	September 15, 2023
Last day to hear dispositive motion	February 16, 2024	March 15, 2024

The term “deadline” means to conduct all depositions (where applicable) and resolve any disputes relative to discovery by appropriate order if necessary, and where discovery has been ordered, to obey the order.

IT IS SO ORDERED.

DATED: May 3, 2023.



CHIEF UNITED STATES DISTRICT JUDGE