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16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF CALIFORNIA**

19 UNITED STATES OF AMERICA and the
 20 STATE OF CALIFORNIA, *ex rel.* DOUGLAS
 DALITZ and RANDY GRAY,

21 Relators,

22 vs.

23 AMSURG CORP.; GASTROENTEROLOGY
 24 ASSOCIATES ENDOSCOPY CENTER,
 L.L.C.; REDDING GASTROENTEROLOGY,
 25 L.L.C. d/b/a REDDING ENDOSCOPY
 CENTER; GADDAM NARESH REDDY,
 26 M.D.; PIYUSH KUMAR DHANUKA, M.D.;
 AND B. NICHOLAS NAMIHAS, M.D.,

27 Defendants.
28

Case No.: 12-cv-2218 TLN CKD

**STIPULATED REQUEST TO TAKE TWO
 THIRD-PARTY DEPOSITIONS POST
 FACT DISCOVERY CUTOFF; ORDER**

Courtroom: 2
Judge: Hon. Troy L. Nunley

1 Plaintiffs United States of America and the State of California, ex rel., Douglas Dalitz
2 and Randy Gray (“Relators”) and Defendants AmSurg Corp., Gastroenterology Associates
3 Endoscopy Center, L.L.C., Redding Gastroenterology, L.L.C., d/b/a Redding Endoscopy Center,
4 Gaddam Naresh Reddy, M.D., Piyush Kumar Dhanuka, M.D., and B. Nicholas Namihas, M.D.
5 through their attorneys, hereby stipulate and request modification of this Court’s Pretrial
6 Scheduling Order (the “Scheduling Order”), filed January 19, 2016 (Dkt. 77).

7 The Pretrial Scheduling Status Order establishes April 29, 2016 as the date that discovery
8 is to be completed. The parties request permission to take two third-party depositions after the
9 fact discovery cutoff of April 29, 2016.

10 The parties submit that there is good cause for this request. The parties jointly represent
11 to the Court that this requested continuance is not a result of dilatory tactics or lack of diligence
12 by the parties. The parties have diligently pursued the completion of fact discovery. All noticed
13 depositions (including party depositions) have been completed with the exception of two third-
14 party depositions. The deposition of Somnia, Inc. is scheduled to take place in New York on
15 May 11, 2016 and the deposition of former Amsurg employee Lori Wenham is scheduled to take
16 place in Colorado on May 13, 2016. It has been necessary to schedule these depositions to take
17 place after the discovery cutoff due to the availability of these third-party witnesses and counsel
18 for relators who is scheduled to be out of the country the weeks of April 25 and May 2. The
19 parties seek additional time to complete these two depositions only. The taking of these two
20 depositions after the discovery cutoff will not affect the parties’ ability to comply with all other
21 dates in the court’s pretrial scheduling order, including the completion of expert discovery.

22 **IT IS SO STIPULATED.**

23
24 Dated: April 29, 2016

BOUTIN JONES INC.

25
26 By: /s/ Robert D. Swanson
27 Robert D. Swanson
28 Brian M. Taylor
Attorneys for Defendants

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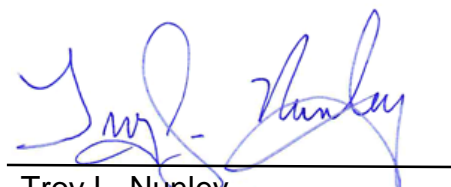
Dated: April 29, 2016

ARNOLD LAW FIRM

By: /s/ Gary B. Callahan
Clayo C. Arnold
Gary B. Callahan
(As authorized on 4-29-16)
Attorneys for Relators

IT IS SO ORDERED

Dated: April 29, 2016



Troy L. Nunley
United States District Judge