

1 LOUIS H. DE HAAS, SBN 39579  
2 **LA FOLLETTE, JOHNSON,**  
3 **DE HAAS, FESLER & AMES**  
4 865 South Figueroa Street, Suite 3200  
Los Angeles, California 90017-5431  
Phone: (213) 426-3600  
Facsimile: (213) 426-3650

5 BARRY VOGEL, SBN 108640  
6 LARRY THORNTON, SBN232265  
7 **LA FOLLETTE, JOHNSON,**  
8 **DE HAAS, FESLER & AMES**  
655 University Avenue, Suite 119  
Sacramento, California 95825  
Phone: (916) 563-3100  
Facsimile: (916) 565-3704

9 Attorneys for Defendant, Cross-Complainant,  
10 SUTTER DAVIS HOSPITAL

11 THE UNITED STATES DISTRICT COURT  
12 THE EASTERN DISTRICT OF CALIFORNIA

13 JENNIFER LARA,

14 Plaintiffs,

15 v.

16 SUTTER DAVIS HOSPITAL, SALUD  
17 CLINIC, SUTTER WEST WOMEN'S  
18 HEALTH, SUSAN MAAYAH, M.D.,  
19 AMELIA BAUERMANN, C.N.M., and  
DOES 1 to 100, inclusive,

20 Defendants.

21 SUTTER DAVIS HOSPITAL,

22 Cross-Complainant,

23 v.

24 SALUD CLINIC, AMELIA BAUERMANN,  
25 C.N.M., TAMARA JOHNSON, C.N.M., and  
ROES 1-10,

26 Cross-Defendants.

Case No.: 2:12-CV-02407-WBS-CKD

**STIPULATION AND [PROPOSED]  
ORDER RE PRETRIAL CASE  
MANAGEMENT DEADLINES**

JURY TRIAL DEMANDED  
Hon. William B. Shubb  
Courtroom 5

1           SUBJECT TO THE APPROVAL OF THE COURT, THE PARTIES THROUGH  
2 THEIR RESPECTIVE COUNSEL OF RECORD HEREBY STIPULATE AND AGREE  
3 AS FOLLOWS:

- 4           (i)     Expert disclosure is currently set for October 18, 2013.
- 5           (ii)    At the end of the day on September 30, 2013, the appropriations act that  
6                had been funding the Department of Justice expired and appropriations  
7                to the Department lapsed.
- 8           (iii)   Absent an appropriation, Department of Justice attorneys are  
9                prohibited from working, even on a voluntary basis, except in  
10              very limited circumstances, including “emergencies involving  
11              the safety of human life or the protection of property.” 31  
12              U.S.C. § 1342. The exception is not deemed to include civil  
13              cases. Indeed, the undersigned Assistant United States  
14              Attorney is furloughed until appropriations to the Justice  
15              Department are restored.
- 16          (iv)    Plaintiff has filed a motion to amend the complaint to add  
17              Eliceo Rehg as an additional plaintiff. The motion is set for  
18              hearing on December 16, 2013.
- 19          (v)     In order to avoid the expense and time of potentially  
20              unnecessary expert discovery and dispositive motion practice,  
21              and
- 22          (vi)    To avoid prejudice to the parties which would result if another  
23              party is added after expert disclosure, and if the United States is  
24              unable to disclose experts due to furlough, the Status and  
25              Pretrial Scheduling Order dated February 12, 2013 (Doc #21),  
26              is hereby amended as follows:

27           **1.     FACT AND EXPERT DISCOVERY**

- 28           a.     The parties shall disclose experts and produce reports on April

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18, 2014;

b. Rebuttal experts and reports shall be produced on May 9, 2014;

c. All discovery, including fact and expert discovery, motions to compel and depositions, shall be completed by June 27, 2014;

**2. MOTIONS**

a. All motions, except motions for continuance, temporary restraining orders or other emergency applications, shall be filed on or before July 25, 2014.

**3. FINAL PRETRIAL CONFERENCE AND TRIAL DATES**

a. The Final Pretrial Conference date of September 15, 2014 and the trial date of November 4, 2014, which the Court set by Order dated February 13, 2013 (Doc #21) shall remain unchanged.

Dated: October 9, 2013

LA FOLLETTE, JOHNSON,  
DE HAAS, FESLER & AMES  
Attorneys for Defendant and Cross-Complainant  
SUTTER DAVIS HOSPITAL

By: /s/ \_\_\_\_\_  
LARRY THORNTON

Dated: 10-9-13

RICE & BLOOMFIELD, LLP  
Attorneys for Plaintiff  
JENNIFER LARA

By: /s/ \_\_\_\_\_  
LINDA FERMOYLE RICE

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Dated: 10-9-13

SCHUERING ZIMMERMAN & DOYLE  
Attorneys for Defendants  
SUTTER WEST WOMEN'S HEALTH;  
SUSAN K. MAAYAH, M.D.

By: /s/ \_\_\_\_\_  
KAT TODD

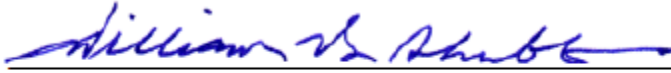
Dated: 10-9-13

U.S. ATTORNEY  
Attorneys for Defendant  
THE UNITED STATES

By: /s/ \_\_\_\_\_  
EDWARD A. OLSEN

IT IS SO ORDERED.

Dated: October 10, 2013

  
\_\_\_\_\_  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE