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 11 LODI MEMORIAL HOSPITAL ASSOCIATION, a California  
 12 non-profit public benefit corporation

13 UNITED STATES DISTRICT COURT  
 14 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 15 SACRAMENTO DIVISION

16 LODI MEMORIAL HOSPITAL  
 17 ASSOCIATION, a California non-profit  
 18 public benefit corporation,

19 Plaintiff,

20 vs.

21 AMERICAN PACIFIC  
 22 CORPORATION, a Nevada for profit  
 23 Corporation; and DOES 1-25,  
 24 INCLUSIVE,

25 Defendants.

Case No.: 2:14-cv-01865-JAM-DAD

[The Hon. John A. Mendez]

1. **STIPULATION TO CONTINUE JOINT STATUS REPORT AND RULE 26F DISCOVERY PLAN DEADLINES PENDING THE COURT'S RULING ON DEFENDANT'S MOTION TO DISMISS AND PLAINTIFF'S REQUEST FOR REMAND; AND**
2. **ORDER.**

26 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

27 WHEREAS, the complaint in this lawsuit was filed on May 2, 2014 in  
 28 the San Joaquin County Superior Court and removed to the United States District

1 Court, Eastern District of California on August 7, 2014;

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3 WHEREAS Defendant American Pacific Corporation filed a Motion  
4 To Dismiss on August 14, 2014, in response to which Plaintiff filed an Opposition  
5 and concurrent Motion For Remand, which motions were scheduled to be heard on  
6 September 17, 2014;

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8 WHEREAS on September 10, 2014 the Court issued a Minute Order  
9 deeming the motions submitted without appearance and without argument pursuant  
10 to Local Rule 230(g);

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12 WHEREAS according to the Order Requiring Joint Status Report  
13 issued by the Hon. John A. Mendez, the parties must confer and prepare and  
14 submit a Joint Status Report, including a Rule 26(f) discovery plan within 60 days  
15 of the date of removal—*i.e.*, by October 6, 2014;

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17 WHEREAS the Court has not yet issued a ruling on Defendant's  
18 Motion To Dismiss or Plaintiff's Motion for Remand;

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20 WHEREAS the parties believe that an effective Rule 26(f) conference  
21 and discovery plan must await the court's ruling on the potentially dispositive  
22 motions in this case. Until the motions are decided, the parties are unaware of  
23 which matters remain at issue and are therefore unable to sufficiently prepare a  
24 Joint Status Report by the current deadline.

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26 The parties therefore stipulate and agree, and respectfully request that  
27 the Court continue the dates for the parties to confer and submit a Joint Status  
28 Report and Rule 26(f) Discovery Plan until 30 days after the Court rules on the

1 pending Defendant's Motion To Dismiss and Plaintiff's Motion for Remand.

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5 THE FOREGOING IS SO STIPULATED

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7 Dated: 6 October 2014

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9 STEPHENSON, ACQUISTO & COLMAN

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11 /s/- Karlene J. Rogers-Aberman

12 \_\_\_\_\_  
13 KARLENE J. ROGERS-ABERMAN

14 Attorneys for  
15 LODI MEMORIAL HOSPITAL  
16 ASSOCIATION

17  
18 Dated: 6 October 2014

19 BOUTIN JONES INC.

20 /s/- Brian M. Taylor

21 \_\_\_\_\_  
22 BRIAN M. TAYLOR

23 Attorneys for  
24 AMERICAN PACIFIC CORPORATION  
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1 **ORDER**

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3 Good cause appearing therefore, the Court hereby orders that the

4 deadlines for the parties to confer and submit their Joint Status Report are hereby

5 continued pending the Court's ruling on Defendant's Motion To Dismiss and

6 Plaintiff's Motion For Remand.

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8 The Court will set new dates, if appropriate, for the parties to confer

9 and submit a Joint Status Report upon issuing its ruling on the pending motions.

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11 IT IS SO ORDERED.

12 Dated: October 6, 2014

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16 /s/ John A. Mendez

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18 HON. JOHN A. MENDEZ

19 UNITED STATES DISTRICT COURT

20 JUDGE

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