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Attorney for Defendants **MAGNOLIA HOLDINGS LLC,  
dba OAK RIVER REHABILITATION;  
and 3300 FRANKLIN STREET LLC**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**MARSHALL LOSKOT**

**Plaintiff,**

**vs.**

**MAGNOLIA HOLDINGS LLC, a  
California Limited Liability Co., dba OAK  
RIVER REHABILITATION; and 3300  
FRANKLIN STREET LLC,**

**Defendants**

**CASE NO. 2:14-cv-02056 WBS-CKD**

**STIPULATION AND [PROPOSED]  
ORDER FOR VOLUNTARY DISPUTE  
RESOLUTION PROGRAM (VDRP)**

**Complaint Filed: September 5, 2014**

JOINT STATUS PRETRIAL SCHEDULING CONFERENCE STATEMENT

1 The PARTIES by and through their respective attorney's of record stipulate to the  
2 Eastern Districts VDRP program to the extent that this program is comparable to non-binding  
3 voluntary private mediation ; and the parties

4 Further Stipulate:

5 (A) That the VDRP process shall be completed on or before May 31, 2015 and that  
6 the Neutral shall file a confirmation on or before June 10, 2015.

7 (B) Modifications to the discovery cut off and motion filing deadlines may be  
8 necessary if additional time is needed to complete a settlement and finalize it in  
9 writing. Skilled Nursing Facilities are governed by OSHPOD which often times must  
10 sign off/approve remedial work. This could have a serious effect on resolution of this  
11 action.

12 (C) Until an Expert Report is authored and presented to MAGNOLIA HOLDINGS  
13 LLC., and MAGNOLIA HOLDINGS LLC has an opportunity to state it's position  
14 on remedial work the Parties are not in a position at this time to state what discovery  
15 might be needed to reach a settlement. The Parties may ask for a "stay" or the  
16 "Court's assistance" if there is a stumbling block to early resolution as it pertains to  
17 discovery.

18  
19 IT IS SO STIPULATED:

20 Dated: December 15,2014

21 THOMAS E. FRANKOVICH, ESQ.  
22 ***A PROFESSIONAL LAW CORPORATION***

23 By: /s/ Thomas E. Frankovich

24 Thomas E. Frankovich  
25 Attorneys for Plaintiff MARSHALL LOSKOT  
26  
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28 JOINT STATUS PRETRIAL SCHEDULING CONFERENCE STATEMENT

1 Dated: \_\_\_\_12/15\_\_\_\_, 2014

2 WILLIAM C. GETTY  
3 MARK A. GINELLA  
4 WILSON GETTY LLP

5 By: \_\_\_\_\_/s/\_\_\_\_\_

6 Mark A. Ginella

7 Attorneys for Defendants **MAGNOLIA**  
8 **HOLDINGS LLC, a California Limited Liability**  
9 **Co., dba OAK RIVER REHABILITATION; and**  
10 **3300 FRANKLIN STREET LLC,**

11  
12  
13 ORDER

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15 Good Cause Having Been Shown:

16 **IT IS SO ORDERED:** that this action be referred to VDRP of this District

17  
18 Dated: December 17, 2014

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20 WILLIAM B. SHUBB  
21 UNITED STATES DISTRICT JUDGE

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28 JOINT STATUS PRETRIAL SCHEDULING CONFERENCE STATEMENT