

1 Plaintiff, Cesca Therapeutics Inc. (“Cesca”) and Defendants SynGen Inc., PHC
2 Medical, Inc., and Philip Coelho (collectively, the “Defendants”), by and through their
3 respective counsel, hereby stipulate as follows:

4 WHEREAS, on February 2, 2017, Defendants filed a Notice of Motion to compel
5 Plaintiff to, among other things, produce further documents responsive to Defendants’ request
6 for production numbers 35, 36, 37, 39, 40, 42 and 43 (the “Motion”). *See* ECF 122.

7 WHEREAS, on February 16, 2017, the parties submitted their Joint Statement
8 regarding the Motion. *See* ECF 125.

9 WHEREAS, on March 6, 2017, after hearing the parties’ arguments with respect to
10 the Motion, this Court entered an Order granting the Motion with respect to Defendants’
11 requests for production numbers 35, 36, 37, 39, 40, 42 and 43 (the “Requests”). *See* ECF 141
12 at ¶ 1(e). In particular, the Court ordered “Plaintiff’s new counsel to conduct a search for any
13 documents responsive to [the] requests that have not already been produced . . . , produce any
14 such responsive documents subject to appropriate claims of privilege, and produce a
15 declaration of plaintiff’s new counsel certifying that all documents responsive to defendants’
16 requests have been produced, describing the search efforts counsel has undertaken, and
17 stating the basis for why any responsive documents are being withheld.” *Id.*

18 WHEREAS, counsel for Plaintiff has been diligently working to collect and review
19 any documents responsive to the Requests that have not already been produced, and on April
20 5, 2017 will begin a rolling production of said documents responsive to all of the Requests.

21 WHEREAS, in connection with its efforts to conduct further searches designed to
22 yield other potentially responsive documents not previously collected from Cesca, counsel for
23 Plaintiff has encountered technical difficulties that have significantly delayed its efforts.

24 WHEREAS, as a result of the aforementioned difficulties, counsel for Plaintiff
25 represent that they require an additional three weeks to complete Cesca’s production of
26 documents required by Paragraph 1(e) of the Court’s March 6, 2017 Order.

1 WHEREAS, based on that representation, Defendants have agreed to provide Plaintiff
2 a three-week extension to comply with Paragraph 1(e) of the Court's March 6, 2017 Order, in
3 exchange for Plaintiff agreeing to the following terms, which are intended to ensure that
4 discovery is not unnecessarily delayed and proceeds as quickly as possible: (1) Plaintiff will
5 make Dr. Xu available for his deposition on either May 8 or May 9; (2) Plaintiff will make
6 Mr. Stracey available for his deposition in May and will provide as soon as possible a firm
7 deposition date in that month; and (3) with the understanding that Defendants also wish to
8 take the depositions of Mr. Malone, Mr. Mau and Mr. Harris in May, counsel for Plaintiff
9 will make every reasonable effort to secure deposition dates for these witnesses in May, and
10 will provide firm deposition dates as soon as possible. Counsel for Plaintiff further represents
11 that counsel has contacted and is continuing to contact the witnesses to secure deposition
12 dates. Counsel for Plaintiff agrees to provide counsel for Defendants with an update on the
13 progress of securing deposition dates on Friday, April 7, 2017, and in the event all dates
14 described herein are not scheduled, to continue to provide regular updates thereafter.

15 THEREFORE, the Parties have agreed and stipulate that:

16 With the permission of the Court, Cesca shall have an additional 21 days, until and
17 including April 26, 2017, to comply with Paragraph 1(e) of the Court's March 6, 2017 Order,
18 in accordance with the terms set forth above.

19
20 Dated: April 5, 2017

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Dated: April 5, 2017

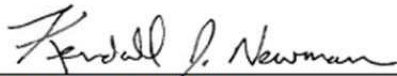
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Attorneys for Defendants
SYNGEN, INC., PHC MEDICAL, INC., and
PHILIP COELHO

IT IS SO ORDERED.

Dated: April 6, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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