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9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
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 13 **FOOTHILL CHURCH, CALVARY**
 14 **CHAPEL OF CHINO HILLS and**
 15 **SHEPHERD OF THE HILLS CHURCH,**
 16 Plaintiffs,
 17 v.
 18 **MICHELLE ROUILLARD, in her official**
 19 **capacity as Director of the California**
 20 **Department of Managed Health Care,**
 21 Defendant.
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2:15-CV-02165-KJM-EFB

**STIPULATION AND ORDER SETTING
 BRIEFING AND HEARING SCHEDULE
 ON MOTION TO DISMISS SECOND
 AMENDED COMPLAINT AND
 MODIFYING CASE SCHEDULE**

1 Defendant Michelle Rouillard, in her official capacity as Director of the California
2 Department of Managed Health Care (Director), and Plaintiffs Foothill Church, Calvary Chapel
3 Chino Hills, and Shepherd of the Hills Church, by and through their attorneys of record, stipulate
4 to and apply for an order extending the Director's time to answer or otherwise respond to
5 Plaintiffs' Second Amended Complaint for Injunctive and Declaratory Relief (Second Amended
6 Complaint), setting a briefing and hearing schedule on the Director's anticipated motion to
7 dismiss the Second Amended Complaint, and the modifying the previous Order amending the
8 Scheduling Order (ECF No. 67).

9 In support of this application, the parties state that WHEREAS:

10 1. The Court has granted the Director's motions to dismiss Plaintiffs' initial Complaint
11 and a First Amended Complaint, with leave to amend (ECF Nos. 39 and 68);

12 2. Plaintiffs filed a Second Amended Complaint on October 23, 2017 (ECF 72);

13 3. The Director anticipates moving to dismiss Plaintiffs' Second Amended Complaint,
14 and the parties wish to establish a mutually agreeable schedule for briefing and hearing on the
15 anticipated motion;

16 4. The parties have made initial disclosures and served written discovery, but believe
17 that consistent with the Court's previous orders continuing discovery and other pretrial deadlines
18 while the Director's prior motions to dismiss remained pending (see ECF Nos. 63, 65, and 67), it
19 would be efficient and economical for both the Court and parties to further modify the Scheduling
20 Order so that service of responses to written discovery and other discovery need not proceed until
21 after the Court rules on the Director's anticipated motion to dismiss Plaintiffs' Second Amended
22 Complaint;

23 5. Consistent with the above and their prior stipulations, the parties agree that if the case
24 schedule is modified as requested below, the deadlines for responses to pending written discovery
25 may be extended until 90 days before the deadline for the close of discovery, and that they will
26 not pursue further discovery until after the Court's ruling on the Director's anticipated motion to
27 dismiss or 120 days before the close of discovery, whichever is earlier;

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1 WHEREFORE, the parties STIPULATE that upon the Court's order:

2 6. The Director's deadline to answer or otherwise respond to Plaintiffs' Second
3 Amended Complaint, and briefing and hearing on the Director's anticipated motion to dismiss
4 Plaintiffs' Second Amended Complaint, shall be set as follows:

- 5 • December 6, 2017: Motion to Dismiss or other response due;
- 6 • January 5, 2018: Opposition to Motion to Dismiss due;
- 7 • January 26, 2018: Reply re Motion Dismiss due;
- 8 • February 9, 2018: Hearing on Motion to Dismiss (or other date set by the Court); and

9 that

10 7. In light of the above, good cause exists to modify the case schedule to extend the time
11 for discovery and to modify other case deadlines respectively, and that the previous Order
12 amending the Scheduling Order (ECF No. 67) shall be modified as follows:

Description	Existing Date (See ECF No. 67)	New Date
Discovery Cutoff	March 2, 2018	August 31, 2018
Expert Disclosures	March 16, 2018	September 14, 2018
Supplemental Expert Disclosures	May 1, 2018	October 30, 2018
Completion of Expert Discovery	June 1, 2018	November 30, 2018
Hearing on Dispositive Motions	July 13, 2018	January 11, 2019
File Joint Pretrial Conference Statement Final Pretrial Conference Trial Briefs Due Trial	Vacated. To be reset after court resolves any dispositive motions.	Vacated. To be reset after court resolves any dispositive motions.

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IT IS SO STIPULATED.

Dated: October 31, 2017

XAVIER BECERRA
Attorney General of California
SUSAN M. CARSON
Supervising Deputy Attorney General

/s/ Joshua Sondheimer
JOSHUA N. SONDHEIMER
Deputy Attorney General
*Attorneys for Defendant Michelle Rouillard,
in her official capacity as Director of the
California Department of Managed Health
Care*

Dated: October 31, 2017

ALLIANCE DEFENDING FREEDOM

/s/ Jeremiah Galus (as authorized on 10/31/17)
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1 **ORDER**

2 Upon the stipulation of the parties, and good cause appearing:

3 1. The Director’s deadline to answer or otherwise respond to Plaintiffs’ Second
4 Amended Complaint, and briefing and hearing on the Director’s anticipated motion to dismiss
5 Plaintiffs’ Second Amended Complaint, are set as follows:

- 6 • December 6, 2017: Motion to Dismiss or other response due;
- 7 • January 5, 2018: Opposition to Motion to Dismiss due;
- 8 • January 26, 2018: Reply re Motion Dismiss due;
- 9 • February 9, 2018: Hearing on Motion to Dismiss.

10 2. The previous Order amending the Scheduling Order (ECF No. 67) shall be modified
11 as follows:

Description	Existing Date <i>(See ECF No. 67)</i>	New Date
Discovery Cutoff	March 2, 2018	August 31, 2018
Expert Disclosures	March 16, 2018	September 14, 2018
Supplemental Expert Disclosures	May 1, 2018	October 30, 2018
Completion of Expert Discovery	June 1, 2018	November 30, 2018
Hearing on Dispositive Motions	July 13, 2018	January 11, 2019
File Joint Pretrial Conference Statement Final Pretrial Conference Trial Briefs Due Trial Briefs Due	Vacated. To be reset after court resolves any dispositive motions.	Vacated. To be reset after court resolves any dispositive motions.

23 This amendment does not alter any other portions of the initial scheduling order (ECF
24 No. 51).

25 IT IS SO ORDERED.

26 DATED: November 7, 2017.

27 
28 UNITED STATES DISTRICT JUDGE