

1 PHILLIP A. TALBERT
 Acting United States Attorney
 2 EDWARD A. OLSEN, CSBN 214150
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2821
 Facsimile: (916) 554-2900
 5

6 Attorneys for Defendants

7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10 CONSOLIDATED TRIBAL HEALTH
 11 PROJECT, INC,

CASE NO. 2:16-cv-01546-JAM-AC

12 Plaintiff,

13 v.

**STIPULATION TO A 3-MONTH
 STAY OF PROCEEDINGS AND
 ORDER**

14 UNITED STATES OF AMERICA, SYLVIA
 BURWELL, in her official capacity as
 15 Secretary, U.S. Department of Health & Human
 Services, MARY SMITH, in her official
 16 capacity as Director, Indian Health Service,

17 Defendants.

18
 19 Plaintiff Consolidated Tribal Health Project, Inc., and Defendants United States of
 20 America, Sylvia Burwell, Secretary of the United States Department of Health and Human
 21 Services, and Mary Smith, Principal Deputy Director of the Indian Health Service, by and
 22 through their attorneys of record, hereby stipulate, subject to approval by the Court, to a 3-month
 23 stay of proceedings in light of the fact that the parties have agreed to engage in settlement
 24 discussions aimed at resolving the claims at issue in this case.

25 The parties also jointly ask the Court to relieve the parties of their obligation to file a
 26 joint status report until after the expiration of the 3-month stay of proceedings. If the parties are
 27 unable to resolve this matter by November 21, 2016, the defendants will file a responsive
 28 pleading to the Complaint no later than December 5, 2016, and the parties will prepare and file a

1 joint status report no later than December 12, 2016. The parties have agreed not to exchange
2 Initial Disclosures at this time and will address the exchange of Initial Disclosures in their joint
3 status report if this matter is not resolved through the parties' settlement discussions.
4

5 Dated: August 22, 2016

Respectfully submitted,

6 PHILLIP A. TALBERT
7 Acting United States Attorney

8 /s/ Edward A. Olsen
9 EDWARD A. OLSEN
10 Assistant United States Attorney
11 Attorneys for Defendants

12 Dated: August 22, 2016

HOBBS, STRAUS, DEAN & WALKER, LLP

13 /s/ Adam P. Bailey
14 ADAM P. BAILEY
15 GEOFFREY D. STROMMER
16 Attorneys for Plaintiff

17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.
19

20 Dated: 8/22/2016

/s/ John A. Mendez
21 JOHN A. MENDEZ
22 UNITED STATES DISTRICT COURT JUDGE
23
24
25
26
27
28