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14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

17 PHARMACEUTICAL RESEARCH AND
 18 MANUFACTURERS OF AMERICA,
 Plaintiff,
 19
 v.
 20 ROBERT P. DAVID, in his official capacity
 21 as Director of the California Office of
 22 Statewide Health Planning and Development,
 23 Defendant.

Case No. 2:17-cv-02573-MCE-KJN
**STIPULATED WAIVER OF PERSONAL
 APPEARANCE AND ORDER**
 Date: August 27, 2020
 Time: 11:00 a.m.
 Crtrm.: Videoconference Appearance

25 The Parties, through their respective counsel, hereby stipulate and provide the following
 26 waiver:

27 WHEREAS, on August 5, 2020, the Court entered an Order (ECF No. 78) granting
 28 Plaintiff's Request for Oral Argument (ECF No. 77) and ordering the Parties to file a waiver of

1 personal appearance with a proposed order addressing the same, not later than seven (7) days prior
2 to the hearing.

3 WHEREAS, the hearing on Plaintiff’s Motion for Summary Judgment (ECF No. 64) has
4 been scheduled for August 27, 2020, at 11:00 a.m. (“August 27th Hearing”) via videoconference.

5 NOW THEREFORE, the parties stipulate that:

6 1. Plaintiff, by and through its undersigned counsel, hereby waives its personal
7 appearance at oral argument and will attend the August 27th Hearing via videoconference.

8 2. Defendant, by and through his undersigned counsel, hereby waives his personal
9 appearance at oral argument and will attend the August 27th Hearing via videoconference.

10 Accordingly, the Parties respectfully request that the Court adopt the proposed order
11 submitted by email and filed concurrently with this stipulation.

12

13 DATED: August 17, 2020 DOWNEY BRAND LLP

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15 By: /s/ Annie S. Amaral
16 ANNIE S. AMARAL
17 Attorneys for Plaintiff Pharmaceutical
18 Research and Manufacturers of America

18 DATED: August 17, 2020 ARNOLD & PORTER KAYE SCHOLER LLP

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21 By: /s/ Allon Kedem
22 ALLON KEDEM
23 Attorneys for Plaintiff Pharmaceutical
24 Research and Manufacturers of America

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DATED: August 17, 2020

XAVIER BECERRA
Attorney General of California
PAUL STEIN
Supervising Deputy Attorney General

By: /s/ Sharon L. O'Grady (as authorized 8/11/2020)
Sharon L. O'Grady
Deputy Attorney General
Attorneys for Robert P. David, Director of
California Office of Statewide Health Planning
and Development

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ORDER

Good cause having been shown, and in accordance with the stipulation of the parties, the Court hereby ORDERS that the Parties appear via videoconference at oral argument for Plaintiff’s Motion for Summary Judgment hearing scheduled for August 27, 2020 at 11:00 a.m.

IT IS SO ORDERED.

Dated: August 17, 2020


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE