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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

BPM HEALTH GROUP, LLC,

Plaintiff,

v.

SUTHERLAND HEALTHCARE
SOLUTIONS, INC.; and DOES 1 through 10,
Inclusive,

Defendants.

Case No. 2:18-cv-00384-MCE-EFB

**STIPULATION AND ORDER
TO STAY DISCOVERY**

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IT IS HEREBY STIPULATED AND AGREED between Plaintiff BPM Health Group, LLC (“Plaintiff”) and Defendant Sutherland Healthcare Solutions, Inc. (“Defendant”) (collectively the “Parties”), through their respective counsel, that the discovery deadlines contained within the Initial Pretrial Scheduling Order (ECF No. 2), as modified by the Stipulation and Order, dated January 28, 2019 (ECF No. 18), be stayed for a period of twenty one (21) days.

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The Parties respectfully submit that, pursuant to Federal Rule of Civil Procedure Rules 16(b) and 26, there is good cause for the requested stay, and respectfully request that the Court enter an Order granting the stay sought herein. The good cause is as follows:

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1. The Parties are and have been engaged in settlement negotiations in a good faith attempt to resolve this matter informally.

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2. As part of those settlement negotiations, the Parties have exchanged correspondence and participated in multiple telephone discussions in an effort to resolve this matter.

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3. The Parties have agreed to refrain from further discovery while exploring the possibility of settlement.

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4. Under the Stipulation and Order, dated January 28, 2019 (ECF No. 18), the current deadline for the Parties' completion of the production of documents is August 2, 2019 (the "Document Production Deadline").

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5. To enable to the Parties' to continue their negotiations without running afoul of the current Document Production Deadline, the Parties respectfully request a brief twenty one (21) day

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1 stay of the Document Production Deadline.

2 6. NOW, THEREFORE, the Parties jointly request and HEREBY STIPULATE that the
3 Court should enter a stay of the Document Production Deadline for a period of twenty one (21) days.

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5 Dated: August __, 2019

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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By: _____
Ryan D. Marshall
Attorneys for Plaintiff BPM Health Group, LLC

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12 Dated: August __, 2019

WOODS OVIATT GILMAN LLP

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By: _____
Brian J. Capitummino*
*Attorneys for Defendant Sutherland
Healthcare Solutions, Inc.*

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**admitted pro hac vice*

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1 **ORDER**

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3 Pursuant to the Stipulation of the Parties (ECF No. 19), and good cause appearing therein,
4 the deadline for the parties' completion of the production of documents, as contained within the
5 Stipulation and Order, dated January 28, 2019 (ECF No. 18), shall be STAYED for a period of
6 twenty-one (21) days.

7 IT IS SO ORDERED.

8 Dated: August 6, 2019

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

At the time of service, I was over 18 yrs of age and **not a party to this action**. I am employed in the County of Monroe, State of New York. My business address is 1900 Bausch & Lomb Place, Rochester, NY 14604.

On August 1, 2019, I served true copies of the following document described as **STIPULATION AND ORDER TO STAY DISCOVERY** on the interested parties in this action as follows:

Ryan D. Marshall, Esq.
McCormick, Barstow,
Sheppard, Wayte & Carruth LLP
7647 N. Fresno Street
Fresno CA 93720
ryan.marshall@mccormickbarstow.com

Marshall C. Whitney, Esq.
Whitney, Thompson & Jeffcoach LLP
8050 North Palm Ave., Suite 110
Fresno, CA 93711
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Attorneys for BPM Health Group, LLC

By **CM/ECF NOTICE OF ELECTRONIC FILING**: I electronically filed the document with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the serve was made.

Executed on August 1, 2019, at Rochester, New York.

s/: Bonnie S. Brooks
Bonnie S. Brooks