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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18	UNITED STATES <i>ex rel.</i> BONNIE LAMMERS, M.D.,)	No. CV 08-3411 WHA (DMR)
19	Plaintiff and Relator,)	STIPULATION SEEKING PERMISSION FOR CERTAIN PARTIES TO ATTEND SETTLEMENT CONFERENCE BY TELEPHONE; PROPOSED ORDER
20	v.)	
21	FARIDEH HEIDAPOUR; ALI HEIDAPOUR; and A.B.C. BILLING, INC.)	
22	Defendants.)	Settlement Conference: March 26, 2013 Time: 10:00 a.m.
23)	
24)	

25 Subject to the Court's approval, IT IS HEREBY STIPULATED AND AGREED by the
26 Parties, through their undersigned counsel of record, that:

- 27 1. A settlement conference is scheduled in this case for March 26, 2013.
- 28 2. The parties have met and conferred about the settlement conference, including which

1 individuals will attend. The parties agreed that, with the Court's permission, two individuals
2 who are located on the east coast could be excused from appearing in person at the settlement
3 conference, and could instead be available by telephone should the Court wish to consult them.

4 3. First, Defendant Ali Heidarpour requests to be excused from appearing in person at the
5 settlement conference, and instead proposes being available by telephone. Mr. Heidarpour lives
6 in Virginia. The parties have been discussing a potential settlement based on the three
7 Defendants' ability to pay. The majority of assets available to pay a settlement are with
8 Defendant Farideh Heidarpour, and not Ali Heidarpour. Defendant Farideh Heidarpour will
9 appear in person on her own behalf and on behalf of Defendant A.B.C. Billing, Inc. as its
10 Secretary. Farideh Heidarpour's husband, Fred Heidarpour, will also appear in person on behalf
11 of A.B.C. Billing as its President. The parties agree that the Defendants will be adequately
12 represented by the attendance of Farideh and Fred Heidarpour, and by having Ali Heidarpour
13 available by phone.

14 4. Second, the United States request that the Department of Labor (DOL) representative be
15 excused from appearing in person at the settlement conference. This action was brought on
16 behalf of DOL's Office of Workers' Compensation Programs, which administers the workers'
17 compensation program at issue in the case, as well as on behalf of the United States Postal
18 Service (USPS), which reimbursed DOL for the payments at issue through the chargeback
19 process set forth in 5 U.S.C. § 8147. Any funds collected in a settlement that are distributed to
20 DOL will then be reimbursed to USPS. The United States will be represented in person at the
21 settlement conference by employees of the Department of Justice (DOJ) and USPS. The United
22 States proposes that a representative of DOL who has settlement authority for the agency be
23 available by telephone. DOL plans to be represented by Senior Attorney Paul Klingenberg, who
24 is located in the Washington, D.C. area. Due to the current federal budget situation, it would be
25 difficult to fund Mr. Klingenberg's travel. The parties agree that the United States will be
26 adequately represented by the attendance of DOJ and USPS representatives, and by having Mr.
27 Klingenberg available by phone.

28 IT IS SO STIPULATED.

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Respectfully submitted,
STUART F. DELERY,
Principal Deputy Assistant Attorney General
MELINDA HAAG
United States Attorney

Dated: March 7, 2013 By: /s/ signature on file
SARA WINSLOW
MELANIE L. PROCTOR
Assistant United States Attorneys

Dated: March 7, 2013 By: /s/ signature on file
MICHAEL GRANSTON
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Dated: March 7, 2013 By: /s/ signature on file
MCBREEN & SENIOR
MATTHEW WESTON
Attorney for Relator

Dated: March 7, 2013 By: /s/ signature on file
ROGERS JOSEPH O'DONNELL
ALLAN J. JOSEPH
PATRICIA A. MEAGHER
Attorneys for Defendant

~~PROPOSED~~ ORDER

Pursuant to stipulation, and for good cause shown, Ali Heidarpour and the representative of the Department of Labor are excused from appearing in person at the March 26, 2013 settlement conference. Both shall be available by telephone beginning at 10:00 a.m. pacific time and for the remainder of the day on March 26, 2013 until the settlement conference adjourns.

IT IS SO ORDERED.



Dated: _____