1 2 3 4 5 6 7 8 9	EDMUND G. BROWN JR. Attorney General of California KARIN S. SCHWARTZ Supervising Deputy Attorney General MICHAEL A. ZWIBELMAN (State Bar No. 224783) Deputy Attorney General 455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004 Telephone: (415) 703-5841 Fax: (415) 703-5840 E-mail: Michael.Zwibelman@doj.ca.gov <i>Attorneys for Defendant Maxwell-Jolly</i> [Plaintiffs' counsel listed on signature page] IN THE UNITED STATES DISTRICT COURT			
11	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
11				
12	SANTA ROSA MEMORIAL HOSPITAL, Case No. 3:08-cv-05173-SC ET AL.,			
13	Plaintiffs, ORDER RESCHEDULING CASE			
15	V. MANAGEMENT CONFERENCE			
16	Date: September 11, 2009			
17	DAVID MAXWELL-JOLLY, Director of the California Department of Health Care Services, Courtroom: 1			
18	JudgeThe Honorable Samuel ContiDefendant.Trial Date:None Set			
19	Action Filed: November 14, 2008			
20	Pursuant to Rules 6-1(b) and 6-2 of the Local Rules of Practice in Civil Proceedings before			
21	the United States District Court for the Northern District of California (Civil L.R.), the parties,			
22	through their respective counsel, stipulate and agree as follows:			
23	RECITALS			
24	1. A case management conference is currently scheduled for August 28, 2009 (Docket			
25	No. 55).			
26	2. To accommodate the professional and personal commitments of defendant's counsel,			
27	the parties agree that, with the court's permission, the August 28 case management conference			
28	shall be rescheduled for September 11, 2009, at 10:00 a.m.			
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	STIPULATION AND ORDER RESCHEDULING CASE MANAGEMENT CONF. (NO. 08-CV-05173-SC)			

1	3. The parties further agree that, with the court's permission, they shall submit a joint			
2	case management statement on or before September 8, 2009.			
3	4. Pursuant to Civil L.R. 6-2(a), undersigned counsel for the defendant has filed a			
4	declaration in support of this stipulation. Plaintiffs' counsel does not object to the statements			
5	contained in the declaration.			
6	STIPULATION			
7	Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that, with the			
8	court's permission, the August 28, 2009 case management conference shall be rescheduled for			
9	September 11, 2009, at 10:00 a.m., and the parties shall submit a joint case management			
10	statement on or before September 8, 2009.			
11				
12	IT IS SO STIPULATED AND AGREED.			
13	Dated: August 24, 2009	Respectfully submitted,		
14		EDMUND G. BROWN JR. Attorney General of California		
15		KARIN S. SCHWARTZ		
16		Supervising Deputy Attorney General		
17		///		
18	/s/ Michael A. Zwibelman MICHAEL A. ZWIBELMAN			
19		Deputy Attorney General Attorneys for Defendant Maxwell Jolly		
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	STIPULATION AND ORDER RESCHEDULING CASE MANAGEMENT CONF. (NO. 08-CV-05173-SC			

1	PLAINTIFFS SANTA ROSA MEMORIAL HOSPITAL, ET AL.			
2				
3	/s/ Michael S. Sorgen MICHAEL S. SORGEN (Bar No. 43107)			
4	Law Offices of Michael S. Sorgen 240 Stockton Street, Ninth Floor			
5	San Francisco, CA 94108			
	Telephone: (415) 956-1360 Facsimile: (415) 956-6342			
6	Email: msorgen@sorgen.net			
7	/s/ Dean L. Johnson DEAN L. JOHNSON (Bar No. 104558)			
8	Dean L. Johnson, Inc.			
9	6863 Tanzanite Dr. Carlsbad, CA 92009			
10	Telephone: (760) 603-0022 Facsimile: (866) 373-9348			
11	Email: dj@gsbalum.uchicago.edu			
12	Attorneys for Plaintiffs			
13	Durge out to noncomply VD of Concerned Order No. 45 of this count the film of this document			
14	Pursuant to paragraph X.B of General Order No. 45 of this court, the filer of this document attests that concurrence in the filing of this document was obtained from plaintiffs' counsel on			
15	August 21, 2009.			
16	PURSUANT TO STIPULATION, IT IS SO ORDERED.			
17	STATES DISTRICT CO			
18	Dated: August 24 , 2009 The Honorable Sa IT IS SO ORDERED			
19 20	LINITED STATES			
20 21	Judge Samuel Conti			
	CERV DISTRICT OF C			
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	STIPULATION AND ORDER RESCHEDULING CASE MANAGEMENT CONF. (NO. 08-CV-05173-SC)			

1	EDMUND G. BROWN JR.					
2	Attorney General of California KARIN S. SCHWARTZ					
3	Supervising Deputy Attorney General MICHAEL A. ZWIBELMAN (State Bar No. 224783)					
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6	Fax: (415) 703-5840 E-mail: Michael.Zwibelman@doj.ca.gov					
7	Attorneys for Defendant Maxwell-Jolly					
8	IN THE UNITED STATES DISTRICT COURT					
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA					
10						
11	SANTA ROSA MEMORIAL HOSPITAL,	Case No. 3:08-cv-05173-SC				
12	ET AL.,	DECLARATION OF MICHAEL A.				
13	Plaintiffs,	ZWIBELMAN IN SUPPORT OF PROPOSED ORDER RESCHEDULING				
14	v.	CASE MANAGEMENT CONFERENCE				
15	DAVID MAXWELL-JOLLY, Director of the	Date: September 11, 2009				
16	California Department of Health Care Services,	Time: 10:00 a.m. Courtroom: 1				
17	Defendant.	JudgeThe Honorable Samuel ContiTrial Date:None Set				
18		Action Filed: November 14, 2008				
19	I, MICHAEL A. ZWIBELMAN, declare as	s follows pursuant to 28 U.S.C. § 1746:				
20	1. I am an attorney licensed to practice	law in the State of California and am employed				
21	as a Deputy Attorney General with the California Attorney General's Office, 455 Golden Gate					
22	Avenue, Suite 11000, San Francisco, California, 94102. I currently serve as counsel for the					
23	defendant in the above-captioned action. Except	·				
24	declaration are based upon my own personal knowledge, and if called upon to testify I would					
25	competently do so as follows:					
26	r					
27						
28						
	ZWIBELMAN DECL. ISO PROPOSED ORDER RESCHEDULING CMC (NO. 08-CV-05173-SC)					

1	2. Concurrent with the filing of this declaration, the parties have filed a stipulation and		
2	proposed order requesting that the court reschedule the August 28, 2009 case management		
3	conference to September 11, 2009.		
4	3. I asked plaintiffs' counsel to consent to this request to accommodate the professional		
5	and personal commitments on my current calendar. Plaintiffs' counsel does not object to my		
6	request.		
7	4. To date, there have been two time modifications in the case. First, the court, on its		
8	own motion, rescheduled a case management conference by one day, from February 19, 2009, to		
9	February 20, 2009. See Docket No. 6. Second, by agreement that did not require court approval,		
10	the parties extended defendant's time to respond to the complaint from December 29, 2008, to		
11	January 23, 2009. See Docket No. 10.		
12	5. At this stage of the litigation, the parties' requested time modification will have little		
13	to no effect on the overall schedule of the case.		
14	Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true		
15	and correct. Executed on August 21, 2009.		
16	/s/ Michael A. Zwibelman		
17	MICHAEL A. ZWIBELMAN		
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	ZWIBELMAN DECL. ISO PROPOSED ORDER RESCHEDULING CMC (NO. 08-CV-05173-SC)		
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