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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 SARAH KIM, Individually and as Successor
 in Interest to RICHARD D. BAE, D.D.S.,
 13 Deceased,

14 Plaintiff,

15 vs.

16 INTERDENT, INC., a Delaware
 corporation, a/k/a INTERDENT SERVICE
 17 CORPORATION, a Washington
 corporation, a/k/a GENTLE DENTAL, a/k/a
 18 MOUNTAIN VIEW DENTAL, a/k/a BLUE
 OAK DENTAL GROUP, a/k/a
 19 DEDICATED DENTAL, a/k/a
 AFFORDABLE DENTAL CARE, a/k/a
 20 CAPITAL DENTAL, and DOES 1-50,
 inclusive,

21 Defendants.
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Case No. CV-08-5565-SI

**STIPULATION AND [PROPOSED]
 ORDER TO PERMIT LIMITED
 DISCOVERY BEYOND THE FACT
 DISCOVERY CUT-OFF DATE**

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 24 Plaintiff, Sarah Kim, Individually and as Successor in Interest to Richard D. Bae, D.D.S.,
 25 Deceased (“plaintiff”), and defendants, Interdent, Inc., a Delaware corporation, a/k/a Interdent
 26 Service Corporation, a Washington corporation, a/k/a Gentle Dental, a/k/a Mountain View
 27 Dental, a/k/a Blue Oak Dental Group, a/k/a Dedicated Dental, a/k/a Affordable Dental Care, and
 28 a/k/a Capital Dental (collectively, “defendants”), by and through their respective attorneys of

1 record, hereby jointly request that this Court issue an order, as set forth below, permitting limited
2 discovery to take place beyond the current fact discovery cut-off date and to allow motions to
3 compel as to this discovery to be filed beyond the current deadline for such motions.

4 1. Fact discovery closes on Wednesday, May 12, 2010.

5 2. The parties are in the process of taking depositions, but will be unable to start or
6 complete certain depositions on or before the close of fact discovery.

7 3. The parties agree that the third-party depositions of Jay Talkoff and Karen
8 Weinberger can be scheduled on a date or dates after May 12, 2010, but must be taken and
9 completed on or before Friday, May 28, 2010.

10 4. The parties agree that the continued depositions of Interdent's person most
11 knowledgeable (as to electronically stored information as set forth in plaintiff's "subject matter
12 of testimony," attached as Exhibit A to plaintiff's Second Amended Notice of Deposition of
13 Person Most Knowledgeable, dated March 19, 2010) and Mary Nakaki may be continued on
14 dates after May 12, 2010, but must be taken and completed on or before Friday, May 28, 2010.

15 5. Plaintiff, on May 3, 2010, filed a motion to compel with respect to Interdent's
16 response to Form Interrogatory No. 4.1, and sought the following relief: for Interdent to provide
17 a full and complete response to Form Interrogatory No. 4.1, require Interdent to produce a person
18 most knowledgeable ("PMK") to be deposed as to the coverage dispute, and grant plaintiff leave
19 to propound special interrogatories and document requests as to the coverage dispute and the
20 Travelers' insurance policy.

21 6. Interdent has provided plaintiff with a supplemental response to Form
22 Interrogatory No. 4.1. Interdent has also agreed, in writing, that it will produce a PMK to be
23 deposed as to the coverage dispute, as well as allow plaintiff to propound special interrogatories
24 and document requests on Interdent with respect to the Travelers' insurance policy and
25 Interdent's coverage dispute with Travelers.

26 7. The deposition of Interdent's PMK as to the coverage dispute can be scheduled on
27 a date or dates after May 12, 2010, but must be taken and completed on or before Friday, May
28 28, 2010.

1 8. Plaintiff will propound her special interrogatories and document requests on
2 Interdent with respect to the Travelers' insurance policy and Interdent's coverage dispute with
3 Travelers on or before Friday, May 14, 2010.

4 9. Interdent will serve its responses to plaintiff's special interrogatories and
5 document requests regarding Interdent's insurance policy with Travelers, and its coverage
6 dispute with Travelers, on or before Friday, May 28, 2010.

7 10. As to the discovery matters set forth in this stipulation – the depositions of Jay
8 Talkoff, Karen Weinberger, and Interdent's PMK (as to the coverage dispute); the continued
9 depositions of Mary Nakaki and Interdent's PMK (as to electronically stored information); and
10 plaintiff's special interrogatories and document requests on Interdent with respect to its
11 Travelers' insurance policy and Interdent's coverage dispute with Travelers – the deadline to
12 bring a motion to compel as to these matters will be June 14, 2010.

13 11. Unless the parties enter into another stipulation, this stipulation applies only to the
14 depositions and discovery requests identified in paragraphs 3, 4, 7, 8, and 9, above, and does not
15 affect any other currently scheduled deposition or discovery deadline.

16 If the Court enters an Order granting this Stipulation as set forth above, it will moot the
17 motion to compel, filed by Interdent on May 3, 2010, regarding the deposition and records of Jay
18 Talkoff (Document #66), as well as the motion to compel, filed by plaintiff on May 3, 2010,
19 regarding Form Interrogatory No. 4.1 (Document #68).

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