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 7 ACUMED, LLC

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 9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 RANDALL RAY MITCHELL,	)	Case No.: C 11-00752 SC
	)	
12 Plaintiff,	)	<b>JOINT STATUS REPORT RE MEET AND</b>
	)	<b>CONFER, DISCOVERY PLAN AND</b>
13 v.	)	<b><del>PROPOSED</del> ORDER</b>
	)	
	)	
14 ACUMED, LLC, and DOES 1 through 100,	)	
15 inclusive,	)	
	)	
16 Defendant.	)	
	)	
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 20 The parties appeared before Hon. Magistrate Judge Nathaniel Cousins on January 25, 2012,  
 21 for the hearing on the Motion to Compel and Motion for Sanctions brought by defendant Acumed  
 22 LLC, attorney Robert B. Ingram appearing on behalf of plaintiff Randall Ray Mitchell and attorney  
 23 Genese K. Dopson of Wilson Elser, Moskowitz, Edelman & Dicker LLP appearing on behalf of  
 24 Acumed LLC, and a true and correct copy of the reporter’s transcript of said proceeding attached  
 25 hereto as Exhibit A. Pursuant to Hon. Magistrate Judge Cousins’ Order at the conclusion of said  
 26 hearing, attorneys for the parties engaged in a “meet and confer” session on January 31, 2012 to  
 27 discuss discovery issues and to designate a Discovery Plan. Pursuant to said “meet and confer”  
 28 plaintiff and defendant submit as follows:

1           1.     Acumed LLC's Request for Production, Set One:    At said "meet and confer"  
2 plaintiff produced all documents responsive to Request for Production number 1, namely documents  
3 relating to the arbitration proceedings with Kaiser Permanente relating to plaintiff's alleged injuries  
4 to his left wrist due to alleged medical malpractice. Plaintiff also produced all documents  
5 responsive to Request for Production number 4, namely a copy of the settlement agreement between  
6 plaintiff and Kaiser Permanente. Documents related to requests for production numbers 5 and 6 are  
7 voluminous and have been sent to a copy service and will be produced by plaintiff to defendant as  
8 soon as copying is completed.

9           2.     Acumed LLC's Request for Production, Set Two:    Pursuant to the Discovery Plan  
10 attached hereto as Exhibit B, Plaintiff will produce the subject medical device on request of  
11 defendant Acumed, LLC, on or before June 15, 2012.

12           3.     Acumed LLC's Interrogatories, Set One:    Plaintiff shall serve verified interrogatory  
13 responses by February 15, 2012.

14           4.     Acumed LLC's Requests for Admission, Set One:    Plaintiff shall serve verified  
15 responses to request for admission, set one, on or before February 10, 2012.

16           5.     Discovery Plan:    The parties have established and agree to the Discovery Plan  
17 attached hereto as Exhibit B.

18           6.     Other Matters:    At this time, the parties have no additional matters which need to be  
19 addressed with the exception of Acumed LLC's request for sanctions and the parties have  
20 designated a section in the proposed order for this issue to be addressed.

21 DATED: February 6, 2012

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
/s/ Genese K. Dopson

22 By: \_\_\_\_\_  
23 Beth Fruechtenicht Aney  
24 Attorneys for Defendant  
ACUMED, LLC

25 DATED: February 6, 2012

LAW OFFICE OF J. FRANK GEORGE  
LAW OFFICE OF ROBERT B. INGRAM  
/s/ Robert B. Ingram

26 By: \_\_\_\_\_  
27 Robert B. Ingram  
28 Attorneys for Plaintiff  
RANDALL RAY MITCHELL

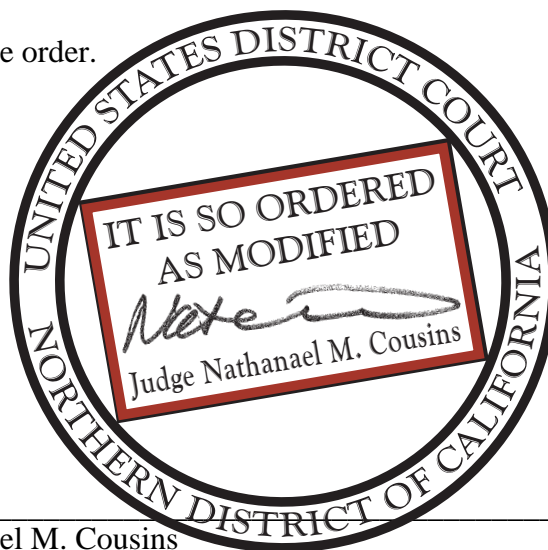
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**[PROPOSED] ORDER**

After consideration of the briefs argument of counsel, this submission of a joint status report re meet and confer and discovery plan, and all other matters before the Court, **IT IS HEREBY ORDERED** that:

1. The dates and deadlines set out in the Joint Status Report are accepted as dates and deadlines issued herein;
2. The dates and deadlines set out in the Discovery Plan (Exhibit B) are accepted as dates and deadlines issued herein;
3. Court to address sanctions in a separate order.

Dated: February 7, 2012



Nathanael M. Cousins  
United States Magistrate Judge