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 Attorneys for Defendant
 7 STEWART GOLDSTEIN, M.D.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10
 11 INTERNATIONAL LONGSHORE &)
 WAREHOUSE UNION-PACIFIC MARITIME)
 12 ASSOCIATION WELFARE PLAN BOARD OF)
 TRUSTEES and INTERNATIONAL)
 13 LONGSHORE & WAREHOUSE UNION-)
 PACIFIC MARITIME ASSOCIATION)
 14 WELFARE PLAN,)
)
 15 Plaintiffs,)
)
 16 v.)
)
 17 SOUTHGATE AMBULATORY SURGERY)
 CENTER, LLC a California limited liability)
 18 company; JEFFREY T. HO, M.D., an individual;)
 STEWART GOLDSTEIN, M.D., an individual;)
 19 and DOES 1 through 50, inclusive,)
)
 20 Defendants.)

Case No. 3:11-CV-01215-
**STIPULATION PURSUANT TO LOCAL
 RULE 6-1 TO EXTEND TIME FOR DR.
 GOLDSTEIN TO RESPOND TO
 PLAINTIFF'S FIRST AMENDED
 COMPLAINT AND TO FILE A CROSS-
 COMPLAINT AGAINST THE
 INTERNATIONAL LONGSHORE &
 WAREHOUSE UNION PACIFIC
 MARITIME ASSOCIATION WELFARE
 PLAN ~~(PROPOSED)~~ ORDER**

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1 Plaintiff International Longshore & Warehouse Union-Pacific Maritime Association
2 Welfare Plan Board Of Trustees (“Plaintiff”) and defendant Stewart Goldstein, M.D. (“Dr.
3 Goldstein”), hereby agree to the following:

4 **WHEREAS**, Plaintiff filed and served an amended complaint against the South Gate
5 Defendants and Dr. Goldstein on July 1, 2011 (“FAC”);

6 **WHEREAS**, Dr. Goldstein moved to dismiss the FAC by motion filed on August 8,
7 2011;

8 **WHEREAS**, on September 12, 2011 the Court granted Dr. Goldstein’s motion to
9 dismiss in part and denied it in part;

10 **WHEREAS**, the parties stipulated to an extension of time for Dr. Goldstein to respond
11 to the FAC to and including October 17, 2011 and filed the stipulation with the Court on
12 September 16, 2011;

13 **WHEREAS**, the stipulation was agreed to in order to allow the parties time to (a)
14 discuss settlement; and (b) meet and confer regarding Dr. Goldstein’s intention to file a
15 counterclaim/cross-complaint;

16 **WHEREAS**, Dr. Goldstein has informed Plaintiff that he anticipates filing a cross-
17 complaint against the International Long Shore & Warehouse Union-Pacific Maritime
18 Association Welfare Plan (the “Plan”), which by Court order ruling on Dr. Goldstein’s motion
19 to dismiss, is no longer a party to this action;

20 **WHEREAS**, by order entered June 27, 2011 (Document 38), this Court ordered that
21 leave to add any new parties must be sought by September 30, 2011;

22 **WHEREAS**, although leave need not be sought to file the cross-complaint against the
23 Plan in this action (because an answer has not yet been filed), in an abundance of caution, Dr.
24 Goldstein is filing this stipulation (which was, in substance, previously filed on September 16,
25 2011) and now requests, pursuant to Local Rule 6-1, that this Court to issue an order allowing
26 the extension (the declaration of Kim Zeldin complying with Local Rule 6-1 is filed herewith);

27 **WHEREAS**, Plaintiff has agreed to further extend the time for Dr. Goldstein to answer
28 the FAC and file a cross-complaint up to and including October 17, 2011;

1 **IT IS HEREBY STIPULATED AND AGREED** by and among the parties, through
2 their respective counsels of record that Dr. Goldstein's response to the FAC and any cross-
3 complaint adding the Plan as a party shall be filed with the Court on or before October 17,
4 2011.

5 Dated: September 29, 2011

LINER GRODE STEIN YANKELEVITZ
SUNSHINE REGENSTREIF & TAYLOR LLP

6
7 By: /s/ Kim Zeldin

8 Kim Zeldin
9 Ronald S. Kravitz
10 Attorneys for Defendant
11 STEWART GOLDSTEIN, M.D.

12 Dated: September 29, 2011

MORGAN, LEWIS & BOCKIUS LLP

13 By: /s/ James N. Penrod

14 James N. Penrod
15 Attorneys for Plaintiff
16 BOARD OF TRUSTEES OF THE
17 ILWU-PMA WELFARE PLAN

18 Dated: September 29, 2011

SEYFARTH & SHAW LLP

19 By: /s/ D. Ward Kallstrom

20 D. Ward Kallstrom
21 Attorneys for Plaintiff
22 BOARD OF THE TRUSTEES OF
23 THE ILWU-PMA WELFARE PLAN

24 Dated: September 29, 2011

LEONARD CARDER LLP

25 By: /s/ Peter W. Saltzman

26 Peter W. Saltzman
27 Christine S. Hwang
28 Attorneys for Plaintiff
29 BOARD OF THE TRUSTEES OF
30 THE ILWU-PMA WELFARE PLAN

IT IS SO ORDERED.

Dated: September 29, 2011.


UNITED STATES DISTRICT JUDGE William Alsup

Case No. 3:11-CV-01215-WHA

STIPULATION TO EXTEND TIME FOR DR. GOLDSTEIN TO RESPOND TO PLAINTIFFS' FIRST
AMENDED COMPLAINT AND ~~PROPOSED~~ ORDER