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28 The Permanente Medical Group, Inc.

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA

21 ROBIN LOVE,

22 Plaintiff,

23 vs.

24 KAISER FOUNDATION HOSPITALS,
25 ET AL.,

26 Defendants.

27) Case No.: 12-cv-05679 (WHO)(DMR)

28) **JOINT STIPULATION TO AMEND
CASE MANAGEMENT ORDER**

WHEREAS by Case Management Order dated April 8, 2013, the court's order on May 1, 2013 [Docket No. 33], and the court's order (docket entry only) on August 6, 2013, the following case management schedule is now in effect:

- a. Mandatory settlement conference to be completed by Magistrate Judge by July 29, 2013;
- b. Fact discovery shall be completed by August 16, 2013;
- c. Expert reports are due no later than November 22, 2013;
- d. Rebuttal expert reports are due no later than December 9, 2013;
- e. Expert discovery shall be completed by December 15, 2013;
- f. Dispositive motions shall be filed by September 10, 2013 and heard on October 15, 2013;
- g. Final pretrial conference shall be set for March 28, 2014 at 9am; and
- h. Trial is scheduled for April 14, 2014 at 8:30am.;

WHEREAS on May 24, 2013, Defendants filed a Second Partial Motion to Dismiss, which was scheduled to be heard before Judge Yvonne Gonzalez Rogers on July 2, 2013;

WHEREAS the parties were scheduled for a settlement conference before Magistrate Judge Kandis Westmore on July 17, 2013;

WHEREAS by order filed on June 27, 2013, this case was reassigned from Judge Yvonne Gonzalez Rogers to Judge William H. Orrick and the motion hearing scheduled for July 2, 2013 was vacated;

WHEREAS Defendants re-noticed their Second Partial Motion to Dismiss for a hearing date on August 14, 2013;

WHEREAS by Clerks Notice filed on July 8, 2013, the settlement conference previously scheduled for July 17, 2013 was continued by the court until September 18, 2013;

WHEREAS on July 12, 2013, Defendants filed a Motion to Disqualify Plaintiff's Counsel with a hearing date for August 21, 2013;

1 WHEREAS by Clerks Notice filed on July 18, 2013, the Case Management Conference,
2 the hearing on Defendants' Second Partial Motion to Dismiss, and the hearing on Defendants'
3 Motion to Disqualify Plaintiff's Counsel were set for hearing on September 11, 2013;

4 WHEREAS Defendants' counsel requested and Plaintiff's counsel agreed to postpone
5 several depositions requested by Plaintiff until after the court's decision on Defendants' Motion
6 to Disqualify Plaintiff's Counsel;

7 WHEREAS on July 8, 2013, the parties re-filed a joint discovery letter brief [Docket No.
8 58], which was previously filed before Judge Gonzalez Rogers on June 21, 2013 [Docket No.
9 52];

10 WHEREAS this case was referred to Magistrate Judge Donna M. Ryu for discovery
11 purposes on July 11, 2013;

12 WHEREAS on July 15, 2013, a hearing on the joint discovery letter brief previously filed
13 was scheduled for August 8, 2013 before Magistrate Judge Ryu;

14 WHEREAS on August 8, 2013, a hearing on the joint discovery letter brief was held
15 before Magistrate Judge Ryu, at the conclusion of which she ordered Defendants to produce
16 documents no later than August 29, 2013;

17 WHEREAS the parties agree that several of the current deadlines in the Case
18 Management Schedule need to be modified in order to comply with (1) Magistrate Judge
19 Westmore's continuance of the settlement conference until September 18, 2013, (2) Magistrate
20 Judge Ryu's expected order for Defendants' to produce discovery responsive to Plaintiff's First
21 Set of Discovery Requests no later than August 29, 2013;

22 WHEREAS the parties agree that several of the current deadlines in the Case
23 Management Schedule need to be modified in order to allow the parties adequate time to
24 complete discovery in this case, to allow for decision on Defendants' pending motions, and to
25 allow for some discovery to be postponed until after the settlement conference scheduled for
26 September 18, 2013 to avoid unnecessary litigation costs;

1 WHEREAS neither party has requested any modification to the Case Management
2 Schedule governing this case other than a one-month extension of the deadline to complete
3 settlement conference;

4 WHEREAS the parties agree that modification of the Case Management Schedule is
5 necessary before the hearing scheduled on September 11, 2013 in order to avoid the expiration of
6 several dates in the present Case Management Schedule;

7 IT IS HEREBY STIPULATED AND AGREED by the attorneys as follows:

8 Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, the following
9 modifications shall be made to the case management schedule:

10 Completion date for settlement conference: 9/30/13

11 Last day to join parties/amend pleadings: 9/5/13

12 Last day for non-expert discovery: 10/31/13

13 Disclosure of Experts (opening): 1/15/14

14 Disclosure of Rebuttal Experts: 2/7/14

15 Deadline for Expert Discovery: 2/28/14

16 Dispositive motions to be filed by: 11/18/13

17 Dispositive motions to be heard by: 12/31/13

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1 All remaining dates for the case management schedule, including the deadline for pretrial
2 conference statement, the pretrial conference date, and trial dates, shall remain as ordered.

3 **IT IS SO STIPULATED.**

4 Dated: August 9, 2013
5 Oakland, California

JUSTICE FIRST, LLP
6 Attorneys for Plaintiff Robin Love
7 By:
8

/s/ Jenny Huang

Jenny C. Huang
180 Grand Avenue, Suite 1300
Oakland, CA 94612

9 Dated: August 12, 2013
10 Oakland, California

MARION'S INN, LLP
11 Attorneys for Defendants
12 By:
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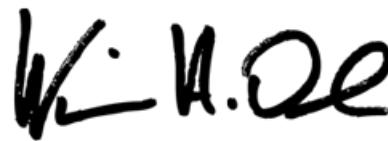
/s/ Mark Palley

Mark Palley
1611 Telegraph Avenue, Suite 707
Oakland, CA 94612

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED** with the following
15 modifications:

16 Dispositive Motions Heard By: January 8, 2014
17 Further Case Management Conference: January 14, 2014
18 Pretrial Conference: March 31, 2014 at 2 pm

19 Dated: August 14, 2013



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21 THE HONORABLE WILLIAM H. ORRICK
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