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11 Attorneys for Defendants Good Samaritan Hospital LP, a  
 Delaware limited partnership, Samaritan, LLC, a  
 12 Delaware limited liability company, Good Samaritan  
 Hospital Medical Staff, a California unincorporated  
 13 association, Steven M. Schwartz, M.D., and Bruce G.  
 Wilbur, M.D.

14  
 15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18 J. AUGUSTO BASTIDAS, M.D.,  
 19 Plaintiff,

20 v.

21 GOOD SAMARITAN HOSPITAL LP, a  
 Delaware limited partnership; SAMARITAN  
 22 LLC, a Delaware limited liability company;  
 GOOD SAMARITAN HOSPITAL MEDICAL  
 23 STAFF, a California unincorporated  
 association; STEVEN M. SCHWARTZ, M.D.;  
 24 and BRUCE G. WILBUR, M.D.,  
 25 Defendants.

CASE NO. 5:13-cv-04388-SI

**JOINT STIPULATION AND [PROPOSED]  
 ORDER TO VACATE ALL TRIAL AND  
 PRETRIAL DATES, EXTEND BRIEFING  
 DEADLINES, AND SCHEDULE CASE  
 MANAGEMENT CONFERENCE**

Judge: Hon. Susan Illston  
 Complaint Filed: December 4, 2015  
 Trial Date:

1 WHEREAS, on August 6, 2014, Plaintiff J. Augusto Bastidas, M.D. filed a Third Amended  
2 Complaint against Defendants Good Samaritan Hospital LP, Samaritan LLC, Good Samaritan  
3 Hospital Medical Staff, Steven M. Schwartz, M.D., and Bruce G. Wilbur, M.D. for racial  
4 discrimination and retaliation under 42 U.S.C. § 1981 (“Third Amended Complaint”);

5 WHEREAS, by Joint Stipulation to Continue Trial and Pretrial Dates (Dkt. No. 135), on  
6 October 29, 2015, the Court ordered the following pretrial and trial schedule for the case:

- 7 • Plaintiff’s Supplemental Brief, ordered by the Court on October 26, 2015 shall be filed  
8 November 9, 2015;
- 9 • Defendants may file a reply brief to Plaintiff’s Supplemental Brief on November 17, 2015;
- 10 • A hearing on the summary judgment motion will be held on November 20, 2015 or a date  
11 thereafter that is convenient for the Court;
- 12 • The parties shall Designate their Expert Witnesses by December 7, 2015;
- 13 • Rebuttal Expert Witnesses shall be identified by December 18, 2015;
- 14 • Expert Discovery shall be completed by January 15, 2016;
- 15 • The Pretrial Conference Date shall be February 17, 2016; and
- 16 • The Jury Trial date shall be February 29, 2016;

17 WHEREAS, on November 9, 2015, upon the Order for Supplemental Briefing dated  
18 September 30, 2015 (Dkt. No. 126), Plaintiff filed his Supplemental Brief, which indicated that  
19 Plaintiff would request leave to file an amended complaint;

20 WHEREAS, on November 16, 2015, the Court issued an Order Granting Plaintiff’s Request  
21 for Leave to File a Fourth Amended Complaint and Denying Defendants’ Motion for Summary  
22 Judgment as moot (Dkt. No. 138);

23 WHEREAS, on December 4, 2015, Plaintiff filed a Fourth Amended Complaint against  
24 Defendants for retaliation under 42 U.S.C. § 1981 (Dkt. No. 140);

25 WHEREAS, the Fourth Amended Complaint raises matters that were not in the Third  
26 Amended Complaint and require further discovery by the parties;

27 WHEREAS, due to the additional matters in the Fourth Amended Complaint and the need for  
28 further discovery, the parties have conferred and agreed to request that the pretrial and trial dates that

1 the Court established in its Order to Continue Pretrial and Trial Dates (Dkt. No. 136) be vacated and  
2 that new discovery deadlines, dispositive motion deadlines, and pretrial and trial dates be set;

3 WHEREAS, due to the complexity of the pertinent legal and factual issues in this case and  
4 current conflicts of counsel on other matters, the parties have conferred and agreed, subject the  
5 Court's approval, that (1) the deadline for Plaintiff to file an opposition to Defendant's Motion to  
6 Dismiss the Fourth Amended Complaint (Dkt. No. 144) be extended to February 12, 2016, and (2)  
7 the deadline for Defendants to file a reply to Plaintiff's opposition be extended to March 4, 2016;

8 WHEREAS, the parties have conferred and agreed that the efficiency of the handling and  
9 scheduling of this case would be enhanced if a Case Management Conference were scheduled for  
10 March 18, 2016, the date of the hearing regarding Defendants' Motion to Dismiss the Fourth  
11 Amended Complaint (Dkt. No. 144);

12 WHEREAS, the parties also agree to file a Joint Case Management Statement seven days  
13 before the conference; and

14 WHEREAS, this modification will not alter the date of any other event or deadline fixed by  
15 any Court order,

16 IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, that:

- 17 • The pretrial and trial dates established by the Court's Order to Continue Pretrial and Trial  
18 Dates (Dkt. No. 136) are vacated;
- 19 • Plaintiff's opposition to Defendants' Motion to Dismiss the Fourth Amended Complaint will  
20 be due on February 12, 2016;
- 21 • Defendants' reply in support of their Motion to Dismiss the Fourth Amended Complaint will  
22 be due on March 4, 2016;
- 23 • A Case Management Conference shall be conducted on March 18, 2016; and
- 24 • The parties shall file a Joint Case Management Statement March 11, 2016.

1 DATED: January 22, 2015

HENNEFER, FINLEY & WOOD, LLP

2  
3 BY:           /s/ James A. Hennefer            
4 JAMES A. HENNEFER  
5 Attorneys for Plaintiff J. Augusto Bastidas, M.D.

6  
7 DATED: January 22, 2015

GIBSON, DUNN & CRUTCHER LLP

8  
9 BY:           /s/ Michael Li-Ming Wong            
10 MICHAEL LI-MING WONG  
11 VANESSA A. PASTORA  
12 Attorneys for Defendants Good Samaritan  
13 Hospital, L.P., Samaritan LLC, Good Samaritan  
14 Hospital Medical Staff, Steven M. Schwartz, M.D.,  
15 and Bruce G. Wilbur, M.D.

**[PROPOSED] ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2015

By: \_\_\_\_\_  
HONORABLE SUSAN ILLSTON

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1 **FILER'S ATTESTATION**

2 I, Michael Li-Ming Wong, am the ECF user whose ID and password are being used to file this Joint  
3 Stipulation and [Proposed] Order to Vacate All Trial and Pretrial Dates, Extend Briefing Deadlines,  
4 and Schedule Case Management Conference. I hereby attest that James A. Hennefer has concurred in  
5 this and has authorized me to affix his electronic signature to this Stipulation.  
6

7 Dated: January 22, 2015

8 By: /s/ Michael Li-Ming Wong  
9 Michael Li-Ming Wong

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**CERTIFICATE OF SERVICE**

I, Ariella Kropp, declare as follows:

I am employed in the County of San Francisco, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 555 Mission Street, Suite 3000, San Francisco, California 94105, in said County and State. On January 22, 2015, I served the following document(s):

**JOINT STIPULATION AND [PROPOSED] ORDER TO VACATE ALL TRIAL AND PRETRIAL DATES, EXTEND BRIEFING DEADLINES, AND SCHEDULE CASE MANAGEMENT CONFERENCE**

on the parties stated below, by the following means of service:

**James A. Hennefer**

Hennefer, Finley & Wood, LLP  
Embarcadero West, 275 Battery, Second Floor  
San Francisco, CA 94111  
415-421-6100  
415-421-1815 (fax)  
jhennefer@hennefer-wood.com

- BY ELECTRONIC TRANSFER TO THE CM/ECF SYSTEM.** On this date, I electronically uploaded a true and correct copy in Adobe "pdf" format the above-listed document(s) to the United States District Court's Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon receipt of the Notice of Electronic Filing ("NEF") by the registered CM/ECF users.
- I am employed in the office of Michael Li-Ming Wong, a member of the bar of this court, and that the foregoing document was printed on recycled paper.
- (FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 22, 2015.

  
Ariella Kropp