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

12 J. AUGUSTO BASTIDAS, M.D.;

13 PLAINTIFF,

14 v.

15 GOOD SAMARITAN HOSPITAL LP, A  
 16 DELAWARE LIMITED PARTNERSHIP;  
 17 GOOD SAMARITAN HOSPITAL LLC, A  
 DELAWARE LIMITED LIABILITY  
 18 COMPANY; GOOD SAMARITAN  
 HOSPITAL MEDICAL STAFF, A  
 19 CALIFORNIA UNINCORPORATED  
 ASSOCIATION; HCA, INC., A DELAWARE  
 CORPORATION; STEVEN M. SCHWARTZ,  
 20 M.D.; AND BRUCE G. WILBUR, M.D.

21 DEFENDANTS.

CASE NO. C-13-4388-SI

**JOINT STIPULATION AND [~~PROPOSED~~]  
 ORDER TO RESET INITIAL CASE  
 MANAGEMENT CONFERENCE**

Judge: Hon. Susan Illston  
 Complaint Filed: September 20, 2013  
 Trial Date: None Set

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Attorneys for Defendant HCA Inc.

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WHEREAS, on September 20, 2013, Plaintiff J. Augusto Bastidas, M.D. filed a Complaint against Defendants Good Samaritan Hospital LP; Good Samaritan Hospital LLC; Good Samaritan Hospital Medical Staff; HCA Inc.; Steven M. Schwartz, M.D.; and Bruce G. Wilbur, M.D. for (1) racial discrimination under 42 U.S.C. § 1981, and (2) denial of due process under 42 U.S.C. § 1983; and

WHEREAS, on September 23, 2013, the case was assigned to Magistrate Judge Howard R. Lloyd, and an Initial Case Management Conference was set for January 7, 2014; and

WHEREAS, on October 23, 2013, the parties stipulated to an extension until December 2, 2013 for Defendants to answer or otherwise respond to the Complaint; and

WHEREAS, on December 2, 2013, Defendant HCA Inc. and Defendants Good Samaritan Hospital LP; Good Samaritan Hospital LLC; Good Samaritan Hospital Medical Staff; Steven M. Schwartz, M.D.; and Bruce G. Wilbur, M.D. separately filed Motions to Dismiss; and

WHEREAS, on December 3, 2013, this case was reassigned to the Honorable Susan Illston; and

WHEREAS, on December 4, 2013, the Initial Case Management Conference was re-set for February 28, 2014.

WHEREAS, the date designated by the Court for the Initial Case Management Conference, February 28, 2014, creates a conflict for counsel; and

WHEREAS, the parties have consulted with the Calendar Clerk and Courtroom Deputy for the Court with respect to an available date for the Initial Case Management Conference.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties hereto, with the Court's permission, that:

1. The Initial Case Management Conference date of February 28, 2014 is vacated.
2. The Initial Case Management Conference is re-set for March 21, 2014 at 2:30 P.M.

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3. All deadlines that are calculated based upon the date of the Initial Case Management Conference shall be calculated based on the new date therefor, March 21, 2014.

Respectfully submitted,

DATED: December 13, 2013

HENNEFER, FINLEY & WOOD, LLP

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

SHANNON, MARTIN, FINKELSTEIN &  
ALVARADO, P.C.

BY:           /S/ George A. Shannon, Jr.            
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Carlos A. Mattioli (*Pro Hac Vice*)  
Adam C. Kiehne (*Pro Hac Vice*)  
Attorneys for Defendant HCA Inc.

GIBSON, DUNN & CRUTCHER LLP

BY:           /S/ Thad A. Davis            
THAD A. DAVIS  
MICHAEL LI-MING WONG  
Attorneys for Defendants Good Samaritan  
Hospital, L.P., Samaritan, LLC, Good Samaritan  
Hospital Medical Staff, Steven M. Schwartz,  
M.D., and Bruce G. Wilbur, M.D.

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**[[PROPOSED] ORDER**

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

DATED: 12/16/13



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HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

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**FILER'S ATTESTATION**

I, George A. Shannon, Jr., hereby attest that concurrence in the filing of this Stipulation to Reset Initial Case Management Conference has been obtained from each of the other signatories listed above, each of whom has authorized me to affix their electronic signature to this Stipulation.

Respectfully submitted,  
SHANNON, MARTIN, FINKELSTEIN  
& ALVARADO

By:           /s/ George A. Shannon, Jr.            
George A. Shannon, Jr.  
Attorney for Defendant HCA Inc.

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**CERTIFICATE OF SERVICE**

**STATE OF TEXAS, COUNTY OF HARRIS**

At the time of service, I was over 18 years of age and **not a Party to this action**. I am employed in the County of Harris, State of Texas. My business address is 1001 McKinney Street, Suite 1100, Houston, TX 77002.

On December 13, 2013, I served true copies of the following document(s) described as

**STIPULATION TO RESET INITIAL CASE MANAGEMENT CONFERENCE**

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that i am employed in the office of George A. Shannon, Jr. who has been admitted pro hac vice in this case and at whose direction the service was made.

Executed on December 13, 2013, at Houston, Texas.

/s/ Cindy DeMott  
Cindy DeMott