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 CAMOFI MASTER LDC and CAMHZN  
 8 MASTER LDC

9 [Other Counsel Listed on Signature Page]

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DOWNEY BRAND LLP

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

CAMOFI MASTER LDC and CAMHZN  
 MASTER LDC,

Plaintiffs,

v.

ASSOCIATED THIRD PARTY  
 ADMINISTRATORS, DIANE GIST,  
 JESSE M. KESSLER, MED-TECH  
 HEALTH SOLUTIONS, LLC, RICHARD  
 STIERWALT, UNITED BENEFITS AND  
 PENSION SERVICES, INC.,

Defendants.

AND RELATED ACTIONS.

Case No. 3:16-cv-00855-EMC

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER REGARDING FURTHER  
 TEMPORARY STAY OF LITIGATION IN  
 LIGHT OF BANKRUPTCY AUTOMATIC  
 STAY**

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**STIPULATION**

Plaintiffs CAMOFI MASTER LDC and CAMHZN MASTER LDC (“Plaintiffs” or “CAM Funds”), Defendant ASSOCIATED THIRD PARTY ADMINISTRATORS (“ATPA”), Defendant DIANE GIST (“Gist”), Defendant and Counter-Claimant RICHARD STIERWALT (“Stierwalt”); Defendant and Counterclaim Plaintiff JESSE M. KESSLER (“Kessler”), and Defendant and Counterclaim Plaintiff MED-TECH HEALTH SOLUTIONS, LLC (“Med-Tech”) (collectively, “Parties”), by and through their respective attorneys of record, stipulate and agree as follows:

1. That on October 17, 2016, ATPA filed a voluntary Chapter 11 Petition for Bankruptcy in the United States Bankruptcy Court for the Central District of California (“Bankruptcy Court”), with the intent of selling substantially all of its assets to a third party.
2. That on October 26, 2016, ATPA filed, in this action, a Notice of Filing of Petition for Relief Under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101, Et Seq., and Imposition of Automatic Stay.
3. That on December 1, 2016, Plaintiffs filed with the Bankruptcy Court a Motion for Relief from the Automatic Stay under 11 U.S.C. § 362, which set the hearing for the Motion on January 4, 2017.
4. That on December 9, 2016, the Bankruptcy Court granted the motion of the Southern California Local 831 Employer Pension Trust Fund for an order converting ATPA’s bankruptcy cases to cases under Chapter 7.
5. That the effective date of the conversion of ATPA’s bankruptcy cases to Chapter 7 cases was January 19, 2017.
6. That, because of the conversion of ATPA’s bankruptcy cases to Chapter 7 cases and the consequent appointment of a Chapter 7 Trustee, the Bankruptcy Court hearing on Plaintiff’s Motion for Relief from the Automatic Stay was moved to February 8, 2017 to allow the Chapter 7 Trustee to review and respond to the Motion for Relief from the Automatic Stay.
7. That Med-Tech and Kessler intended to file their own Motion for Relief from the Automatic Stay, to be heard on February 8, 2017, with the Bankruptcy Court with respect to their

1 cross claims against ATPA in this action.

2 8. That, because of the Automatic Stay, this case is currently stayed as to ATPA,  
3 pending the outcome of Plaintiffs' and Med-Tech and Kessler's Motions for Relief from the  
4 Automatic Stay.

5 9. That, on January 10, 2017, the Parties filed a Stipulation and [Proposed] Order  
6 Regarding Temporary Stay of Litigation in Light of Bankruptcy Automatic Stay, staying this case  
7 for 60 days as to all Parties pending the outcome of Plaintiffs' and Med-Tech and Kessler's  
8 Motions for Relief from the Automatic Stay and tolling and extending all deadlines in this case  
9 during the pendency of the stay for 60 days.

10 10. That, on January 12, 2017, the Court approved the Parties' stipulation.

11 11. That, on January 17, 2017, Med-Tech and Kessler filed their Motion for Relief  
12 from the Automatic Stay under 11 U.S.C. § 362, which set the hearing for the Motion on  
13 February 8, 2017.

14 12. That, on February 7, 2017, the Bankruptcy Court approved a stipulation between  
15 the Chapter 7 Trustee, the CAM Funds, and Med-Tech and Kessler continuing the hearing on the  
16 Motions for Relief from Automatic Stay to March 8, 2017.

17 13. That, on February 21, 2017, the Bankruptcy Judge approved a stipulation between  
18 the Chapter 7 Trustee and the CAM Funds continuing the hearing on the CAM Funds' Motion for  
19 Relief from Automatic Stay to April 19, 2017.

20 14. That, on March 13, 2017, Med-Tech and Kessler gave notice in the Bankruptcy  
21 Action that the hearing on Med-Tech and Kessler's Motion for Relief from Automatic Stay had  
22 been continued to May 17, 2017.

23 15. That, given the continuances of Plaintiffs' and Med-Tech and Kessler's Motions  
24 for Relief from Automatic Stay, this case should be stayed for a further 60 days as to all Parties  
25 pending the outcome of Plaintiffs' and Med-Tech and Kessler's Motions for Relief from the  
26 Automatic Stay.

27 16. That all deadlines in this case during the pendency of the stay should be tolled and  
28 extended for 60 days.

1           17.     That all other deadlines in this case should be extended for 60 days. Specifically,  
2 the Status Conference currently set for March 23, 2017, should be extended to May 25, 2017, at  
3 which time the Parties will report on the progress of ATPA's bankruptcy and address whether a  
4 further stay of this case is necessary.

5           IT IS SO STIPULATED.

6  
7 DATED: March 16, 2017

DOWNEY BRAND LLP

8  
9 By: /s/ Jamie P. Dreher

10                   WILLIAM R. WARNE  
11                   JAMIE P. DREHER  
12                   BRADLEY C. CARROLL  
                    Attorney for Plaintiffs  
                    CAMOFI MASTER LDC and CAMHZN  
                    MASTER LDC

13 DATED: March 16, 2017

HANSON BRIDGETT LLP

14  
15 By: /s/ Batya F. Forsyth (as authorized 3/15/17)

16                   BATYA F. FORSYTH  
17                   CANDICE P. SHIH  
                    Attorney for Defendant/Cross-Claimant  
                    ASSOCIATED THIRD PARTY  
                    ADMINISTRATORS

18  
19 DATED: March 16, 2017

THE WILLIAMS FIRM

20  
21 By: /s/ D. Alexander Floum (as authorized 3/15/17)

22                   TIMOTHY C. WILLIAMS  
23                   D. ALEXANDER FLOUM  
                    Attorney for Defendant/Cross-Claimant  
                    DIANE GIST

24 DATED: March 16, 2017

DONAHUE FITZGERALD LLP

25  
26 By: /s/ John C. Kirke (as authorized 3/16/17)

27                   JOHN C. KIRKE  
                    Attorney for Defendant/Counter-Claimant  
                    RICHARD STIERWALT

DOWNEY BRAND LLP

1 DATED: March 16, 2017

SANDS ANDERSON PC

2  
3 By: /s/ George R. Pitts (as authorized 3/15/17)

4 GEORGE R. PITTS  
Attorney for Defendants/Counter-  
Claimants/Cross-Claimants  
5 JESSE M. KESSLER and MED-TECH HEALTH  
SOLUTIONS, LLC

6  
7 **[PROPOSED] ORDER**

8 The Court, having reviewed the attached Stipulation of the Parties requesting that the case  
9 be stayed for a further 60 days, and an extension of other deadlines in this matter, and for good  
10 cause, HEREBY ORDERS THAT:

11 1. This case is stayed for 60 days—from March 16, 2017, until May 15, 2017—as to  
12 all Parties pending the outcome of Plaintiffs’ and Med-Tech and Kessler’s Motions for Relief  
13 from the Automatic Stay.

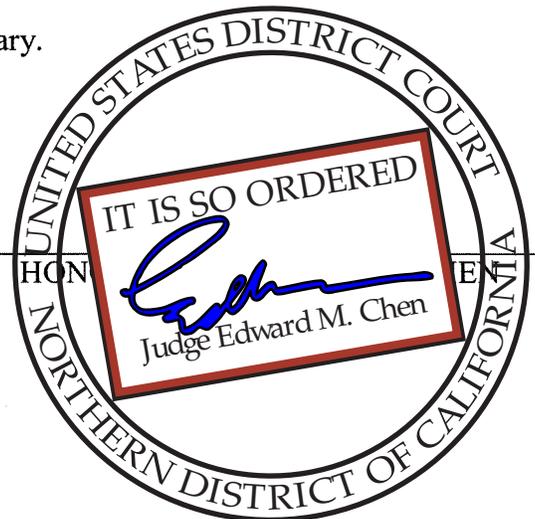
14 2. All deadlines in this case during the pendency of the stay are tolled and extended  
15 for 60 days.

16 3. All other deadlines in this case are extended for 60 days.

17 4. The March 23, 2017, Status Conference is vacated and reset for May 25, 2017. At  
18 that Status Conference, the Parties are to report on the progress of ATPA’s bankruptcy and  
19 address whether a further stay of this case is necessary.

20 IT IS SO ORDERED.

21  
22 DATED: March 20, 2017



DOWNEY BRAND LLP