

1 Stephen R. Jaffe (SBN 49539)
 THE JAFFE LAW FIRM
 2 Stephen.r.jaffe@jaffetriallaw.com
 101 California Street, Suite 2170
 3 San Francisco, CA 94111
 Telephone: (415) 618-0100

4 Attorneys for Relator
 5 STEVEN FALLON

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

11 UNITED STATES OF AMERICA, ex rel.,
 STEVEN FALLON and on behalf of the
 12 STATE OF CALIFORNIA, ,

13 Plaintiffs-Relators,

14 v.

15 BELL TRANSIT CORPORATION; MCET
 AFFORDABLE TRANSPORTATION;
 16 FUNCTIONAL FLOORS; MATTHEW
 WAYNE; MIRIAM DELGADILLO; LUCI
 17 ROGERS; TAMMY WATSON; HAYWARD
 UNIFIED SCHOOL DISTRICT,

18 Defendants.
 19

Case No. 16-CV-6994-TSH

STIPULATION TO CONTINUANCE OF
 CASE MANAGEMENT CONFERENCE
 AND ~~PROPOSED~~ ORDER

Magistrate Judge Thomas S. Hixson

20 Pursuant to Rules 6-1(b) and 6-2 of the Northern District Civil Local Rules, Relator
 21 STEVEN FALLON and Defendants HAYWARD UNIFIED SCHOOL DISTRICT, MATTHEW
 22 WAYNE, TAMI WATSON, and BELL TRANSIT CORPORATION (collectively, the "Parties")
 23 hereby stipulate as follows:

24 1. WHEREAS, this case was filed by the Relator on December 6, 2016 (Dkt. No.1).
 25 Pursuant to the federal False Claims Act and the California False Claims Act, the case was filed
 26 under seal.

27 2. WHEREAS, on March 16, 2020, the United States and the State of California
 28 having declined to intervene, the seal on the case was lifted and the stipulating Defendants were

1 served with the relator's First Amended Complaint.

2 3. WHEREAS, on March 16, 2020, the Court issued an Order setting an initial case
3 management conference ("CMC") for June 18, 2020 at 10:00 AM (Dkt. No. 34).

4 4. WHEREAS, the Parties have recently met and conferred and have agreed to
5 attempt to resolve this case, prior to formal litigation, through good faith settlement discussions
6 and/or mediation. In order for these efforts to be meaningful and in furtherance of judicial
7 economy and efficiency, the Parties further agree that their time and resources should be focused
8 on preparing for and engaging in settlement discussions and/or mediation, rather than formal
9 litigation at this time.

10 5. WHEREAS, in addition, the Relator must also formally serve several additional
11 individual defendants and entity defendants, which will likely require investigation and additional
12 time, especially in light of the limitations and difficulties presented by the COVID-19 pandemic
13 and related emergency orders.

14 6. WHEREAS, in light of the above considerations, the Parties have agreed to
15 continue the current deadlines for responding to the complaint, the initial case management
16 conference, and all other related deadlines, as set forth below.

17 7. WHEREAS, no party will be prejudiced by the order sought by this stipulation.

18 8. WHEREAS, there have been no prior time modifications in this case.

19 9. WHEREAS, the below-described time modifications will not materially alter the
20 schedule for this case since there is no trial date or other events or deadlines on calendar, except
21 that which are reflected below.

22 **NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE**
23 **PARTIES, SUBJECT TO THE COURT'S APPROVAL, THAT:**

24 A. The deadline for the stipulating Defendants to respond to the First Amended
25 Complaint is extended by approximately 45-days to July 24, 2020;

26 B. The initial CMC is continued from June 18, 2020 to September 17, 2020 at 10:00
27 AM, or to the first available court date thereafter, in Courtroom G, 15th Floor, 450 Golden Gate
28 Avenue, San Francisco, California, and shall be attended by lead trial counsel;

1 4. The Parties must serve their Rule 26(a)(1) initial disclosures in accordance with
2 Rule 26(a)(1)(C).

3 5. The Parties must submit a joint CMC statement at least 7 days prior to the new date
4 set for the initial CMC, in the same format set forth in the Order Setting Case Management
5 Conference (Dkt. No. 34).

6 6. All other related case-management and Rule 26 deadlines not explicitly covered by
7 this Order, if any, shall also be extended and calculated based on the dates set forth herein.

8 IT IS SO ORDERED.

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10 Dated: 5/4/2020

By: 
HONORABLE THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE

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