

1 Brian Selden (State Bar No. 261828)  
 bgselden@jonesday.com  
 2 Rowan Mason (State Bar No. 259586)  
 rmason@jonesday.com  
 3 JONES DAY  
 4 555 California Street, 26th Floor  
 San Francisco, California 94104  
 Telephone: 415-626-3939  
 5 Facsimile: 415-875-5700

6 Attorneys for Defendant  
 7 Dignity Health

8  
 9 David J. Millstein (State Bar No. 87878)  
 dmillstein@millstein-law.com  
 10 Gerald S. Richelson (State Bar No. 267705)  
 grichelson@millstein-law.com  
 11 MILLSTEIN & ASSOCIATES  
 12 100 The Embarcadero, Suite 200  
 San Francisco, CA 94105  
 Telephone: (415) 348-0348  
 13 Facsimile: (415) 348-0336

14 Attorneys for Plaintiff:  
 15 SimonMed Imaging, Inc.

16  
 17  
 18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

20  
 21 SIMONMED IMAGING, INC., an ARIZONA  
 CORPORATION,

22 Plaintiff,

23 v.

24 DIGNITY HEALTH, a DOMESTIC  
 25 NONPROFIT CALIFORNIA  
 CORPORATION, Does 1 through 10,

26 Defendant.  
 27

**CASE NO.: 17-cv-02907-JST**

**JOINT STIPULATION AND  
 PROPOSED ORDER RE  
 SCHEDULING OF MOTIONS IN  
 RESPONSE TO AMENDED  
 PLEADINGS**

1 Plaintiff SimonMed Imaging, Inc. (“SimonMed”) and Defendant Dignity Health  
2 (“Dignity”) (collectively “the Parties”) hereby jointly request and stipulate as follows:

3 WHEREAS the Parties agreed to the filing of amended pleadings with a reservation of  
4 rights to challenge the others’ allegations;

5 WHEREAS Dignity participated in a teleconference with the Court on November 27,  
6 2017 in which the Court encouraged Dignity to meet and confer with SimonMed to agree on an  
7 appropriate schedule for briefing any motions regarding the proposed amended pleadings of both  
8 parties (“the Motion(s)”);

9 WHEREAS the Parties have now met and conferred regarding an appropriate schedule for  
10 the Motion(s);

11 WHEREAS the Parties also agreed that responding to any of the amended pleadings  
12 would be inefficient and premature until the Court rules on the Motion(s) and any further  
13 amended pleadings are filed.

14 Based on the foregoing, the Parties hereby stipulate to the following briefing schedule and  
15 proposed hearing date for the Motion(s):

Event	Date
Deadline to file the proposed amended pleadings previously filed as exhibits to ECF Nos. 24 and 27	December 28, 2017
Deadline to either file Motion(s) or, in the alternative, file a responsive pleading	January 17, 2018
Deadline to file oppositions to Motion(s)	January 31, 2018
Deadline to file replies to Motions(s)	February 7, 2018
Hearing on Motions	March 1, 2018 at 2 p.m. Courtroom 9, 19th Floor
Deadline to file any further amended pleadings (if Motion(s) granted in whole or part)	Within 14 days of notice of the Court’s order on the Motion(s)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Within 14 days of the filing of further amended pleadings, unless amended pleadings are not required, in which case response(s) are due within 14 days of the Court's order on the Motion(s)
---	--

Dated: December 7, 2017

MILLSTEIN & ASSOCIATES

By: /s/ Gerald Richelson  
David Millstein  
Gerald Richelson

Attorneys for Plaintiff  
SIMONMED IMAGING, INC.

JONES DAY

Dated: December 7, 2017

By: /s/ Rowan Mason  
Brian Selden  
Rowan Mason

Attorneys for Defendant  
DIGNITY HEALTH

**FILER'S ATTESTATION**

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from all signatories.

Dated: December 7, 2017

JONES DAY

By: /s/ Rowan Mason  
Brian Selden  
Rowan Mason

Attorneys for  
DIGNITY HEALTH

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: December 11, 2017

  
\_\_\_\_\_  
HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28