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14 Attorneys for Plaintiff:
 15 SimonMed Imaging, Inc.

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

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER RE
 POSTPONING CASE DEADLINES
 PENDING SETTLEMENT
 AGREEMENT**

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 Court issued a Scheduling Order on September 13, 2017 containing
4 discovery, pre-trial, and trial deadlines and dates (“Scheduling Order”);

5 WHEREAS the Parties filed a Joint Stipulation and Proposed Order re Schedule on
6 January 16, 2018 postponing dates for motions on the pleadings (“Motion(s)”);

7 WHEREAS the Court signed the Proposed Order re Schedule on January 17, 2018
8 (“Motions Schedule”);

9 WHEREAS the Parties continue to work towards resolution of the case and have signed a
10 Letter of Intent on the framework for settlement;

11 WHEREAS the Parties have exchanged versions of a draft settlement agreement and are
12 currently attempting to finalize the settlement agreement;

13 WHEREAS the Parties seek to avoid additional and unnecessary litigation costs including
14 the filing of motions and new pleadings by further postponing all impending deadlines by
15 approximately sixty days while the Parties finalize a settlement agreement;

16 WHEREAS under the signed Letter of Intent the interests will transfer and the case will
17 effectively be resolved prior to the next proposed case deadline.

18 Based on the foregoing, the Parties hereby stipulate to the following modifications to the
19 Motions Schedule and Scheduling Order dates:

Event	Current Date	Proposed Date
Deadline to either file Motion(s) or, in the alternative, file a responsive pleading	February 22, 2018	April 23, 2018
Deadline to file oppositions to Motion(s)	March 8, 2018	May 7, 2018
Deadline to file replies to Motions(s)	March 15, 2018	May 14, 2018
Hearing on Motions & Further CMC	April 5, 2018 at 2 p.m. Courtroom 9, 19th Floor	June 14, 2018 June 7, 2018 at 2 p.m. Courtroom 9, 19th Floor

1	Fact discovery cut-off	May 4, 2018	July 3, 2018
2	Expert disclosures	May 25, 2018	July 24, 2018
3	Expert rebuttal	June 15, 2018	August 14, 2018
4	Expert discovery cut-off	June 29, 2018	August 28, 2018
5	Deadline to file dispositive motions	July 20, 2018	September 18, 2018

9 The Parties further stipulate to remove the pretrial conference statement deadline, the
10 pretrial conference date, and the trial date from the Court calendar as they currently stand on
11 October 2, 2018, October 12, 2018 at 2:00 p.m., and November 5, 2018 at 8:30 a.m. respectively.

12 Dated: February 20, 2018

MILLSTEIN & ASSOCIATES

14 By: /s/ Gerald Richelson

15 David Millstein
16 Gerald Richelson

17 Attorneys for Plaintiff
18 SIMONMED IMAGING, INC.

19 JONES DAY

20 Dated: February 20, 2018

21 By: /s/ Rowan Mason

22 Brian Selden
23 Rowan Mason

24 Attorneys for Defendant
25 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: February 20, 2018

JONES DAY

By: /s/ Rowan Mason
Brian Selden
Rowan Mason

Attorneys for
DIGNITY HEALTH

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. THE COURT DOES NOT ANTICIPATE GRANTING ANY FURTHER CONTINUANCES

DATED: February 21, 2018



HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE

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