

1 Kenneth N. Smersfelt (SBN 166764)
ksmersfelt@reedsmith.com
2 Karen A. Braje (SBN 193900)
kbraje@reedsmith.com
3 REED SMITH LLP
355 South Grand Avenue
4 Suite 2900
Los Angeles, CA 90071-1514
5 Telephone: +1 213 457 8000
Facsimile: +1 213 457 8080

6 Attorney for Defendant
7 Anthem Blue Cross Life and Health Insurance
Company (erroneously sued as “Anthem”)
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11
12 GREGG HANSEN,

13 Plaintiff,

14 vs.

15 DR. LORANCE LEVY; DR. GENEVIEVE
ESTILO; MARIN NEPHROLOGY; MARIN
16 GENERAL HOSPITAL; ANTHEM; SUTTER
HEALTH; SATELLITE DIALYSIS; and
17 MEDICARE,

18 Defendants.
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No.: 3:17-cv-03473-WHO

**STIPULATED REQUEST TO MODIFY
BRIEFING SCHEDULE ON MOTIONS TO
DISMISS**

Compl. Filed: April 4, 2017
Removal Date: June 15, 2017
Trial Date: Not Yet Set

Honorable William H. Orrick

1 Plaintiff Gregg Hansen (“Plaintiff”) and Defendants Centers for Medicare and Medicaid
2 Services (“CMS”) and Anthem Blue Cross Life and Health Insurance Company (“Anthem”)
3 (collectively “Defendants”) respectfully request that the Court modify the briefing schedule
4 associated with Defendants’ Motions to Dismiss which are set for hearing on August 30, 2017. The
5 basis for this request and supporting stipulation is set forth below.

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7 WHEREAS, Plaintiff filed his First Amended Complaint (“FAC”) on July 6, 2017 (Docket
8 No. 17);

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10 WHEREAS, all Defendants filed Motions to Dismiss the FAC and set the motions for
11 hearing on August 30, 2017 (Docket Nos. 20, 21 and 23);

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13 WHEREAS, the Court continued the initial case management conference to August 30, 2017,
14 to take place at the same time as the hearing on the pending Motions to Dismiss (Docket No. 22);

15
16 WHEREAS, Plaintiff’s response to CMS’ Motion to Dismiss and Anthem’s Motion to
17 Dismiss was due to be filed and served on August 2, 2017;

18
19 WHEREAS, Plaintiff requested a two-week extension of time up to and including August 16,
20 2017, to respond to the CMS Motion to Dismiss and Anthem’s Motion to Dismiss;¹

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22 WHEREAS, Defendants agree to stipulate that Plaintiff may have until August 16, 2017, to
23 respond to the Motions to Dismiss provided that Defendants have up to and including August 23,
24 2017, to file their Reply Briefs;

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26 _____
27 ¹ Plaintiff contacted counsel for Anthem on August 3, 2017, to say that he had only received a copy of Anthem’s Motion
28 to Dismiss the day before. Plaintiff also contacted counsel for CMS on August 3, 2017, with an identical message. Counsel for Anthem responded that its file reflects delivery of the copy of the Motion to Dismiss that was served at the time of filing several weeks before. Counsel for CMS has not yet confirmed the service date. In any event, and rather than dispute the issue, the parties have agreed to approach the Court to request a modified briefing schedule.

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NOW THEREFORE, the undersigned parties stipulate as follows:

Plaintiff's deadline to respond to the CMS Motion to Dismiss (Docket No. 21) and Anthem's Motion to Dismiss (Docket No. 20) shall be extended up to and include August 16, 2017. Defendants CMS and Anthem's deadline to file any Reply Briefs shall be extended up to and include August 23, 2017.

IT IS SO STIPULATED.

DATED: August ____, 2017.

GREGG HANSEN, *in pro per*

By: _____
Gregg Hansen

DATED: August ____, 2017.

BRIAN J. STRETCH
United States Attorney

By: /s/ Robin M. Wall
ROBIN M. WALL
Assistant United States Attorney
Attorneys for Defendant
Centers for Medicare and Medicaid Services
Nephrology

DATED: August ____, 2017.

REED SMITH LLP

By: /s/ Karen A. Braje
Kenneth N. Smersfelt
Karen A. Braje
Attorneys for Defendant
Anthem Blue Cross Life and Health Insurance
Company (erroneously sued as "Anthem")

1 **ORDER**

2 Pursuant to the parties' stipulated request to modify the briefing schedule, it is hereby
3 ordered that: Plaintiff's deadline to respond to the CMS Motion to Dismiss (Docket No. 21) and
4 Anthem's Motion to Dismiss (Docket No. 20) shall be extended up to and include August 16, 2017.
5 Defendants CMS and Anthem's deadline to file any Reply Briefs shall be extended up to and include
6 August 23, 2017.

7 SO ORDERED.

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9 Dated: August 8, 2017

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12 HON. WILLIAM H. ORRICK
13 United States District Judge
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