

1 MANATT, PHELPS & PHILLIPS, LLP
 BARRY S. LANDSBERG (Bar No. CA 117284)
 2 E-mail: blandsberg@manatt.com
 BRAD W. SEILING (Bar No. CA 134515)
 3 E-mail: bseiling@manatt.com
 ANDREW H. STRUVE (Bar No. CA 200803)
 4 E-mail: astruve@manatt.com
 JESSICA J. SLUSSER (Bar No. CA 207317)
 5 E-mail: jslusser@manatt.com
 JUSTIN C. JOHNSON (Bar No. CA 252175)
 6 E-mail: jjohnson@manatt.com
 11355 West Olympic Boulevard
 7 Los Angeles, CA 90064-1614
 Telephone: (310) 312-4000
 8 Facsimile: (310) 312-4224

9 DAVID L. SHAPIRO (Pro Hac Vice)
 E-mail: dshapiro@law.harvard.edu
 10 1563 Mass. Ave.
 Cambridge, MA 02138
 11 Telephone: (617) 495-4618
 Facsimile: (617) 495-1950

12 WROTEN & ASSOCIATES, INC.
 13 KIPPY L. WROTEN, State Bar No. 134325
 E-Mail: kwroten@wrotenlaw.com
 14 LAURA K. SITAR, State Bar No. 195806
 E-Mail: lsitar@wrotenlaw.com
 15 DARRYL A. ROSS, State Bar No. 180022
 E-Mail: dross@wrotenlaw.com
 16 20 Pacifica, Suite 1100
 Irvine, California 92618
 17 Telephone: (949) 788-1790
 Facsimile: (949) 788-1799

18 Attorneys for Defendants, EmpRes Healthcare, Inc., EHC Management, L.L.C., EHC Financial
 19 Services, L.L.C., Evergreen California Healthcare, L.L.C., Evergreen at Arvin L.L.C., Evergreen
 at Bakersfield L.L.C., Evergreen at Lakeport, L.L.C., Evergreen at Heartwood L.L.C., Evergreen
 20 at Springs Road L.L.C., Evergreen at Tracy L.L.C., Evergreen at Oroville L.L.C., Evergreen at
 Petaluma L.L.C., Evergreen at Gridley (SNF) L.L.C.

22 **UNITED STATES DISTRICT COURT**

23 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

24 Phyllis Wehlage, on behalf and her behalf and
 on behalf of others similarly situated,

25 Plaintiff,

26 vs.

27 EmpRes Healthcare, Inc.; EHC Management
 28 LLC; EHC Financial Services LLC; Evergreen

CASE NO. C 10-05839 CW

**~~PROPOSED~~ ORDER RE:
 STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE,
 MOTION OPPOSITION AND REPLY
 DATES AND HEARING ON MOTION TO
 QUASH; CIVIL L.R. 6-2, 7-12**

EVER-0112/105016.1

**~~PROPOSED~~ ORDER RE: STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE, MOTION
 OPPOSITION AND REPLY DATES AND HEARING ON MOTION TO QUASH; CIVIL L.R. 6-2, 7-12**



1 California Healthcare LLC; Evergreen at
2 Arvin LLC; Evergreen at Bakersfield LLC;
3 Evergreen at Lakeport LLC; Evergreen at
4 Heartwood LLC; Evergreen at Tracy LLC;
5 Evergreen at Oroville LLC; Evergreen at
6 Petaluma LLC, Evergreen at Gridley (SNF)
7 LLC, and DOES 1 THROUGH 100,
8
9 Defendants.

Judge: Hon. Claudia Wilken

10 The parties have stipulated to continue 1) the Case Management Conference in the above
11 captioned matter, 2) dates for filing oppositions and replies to Defendants' Motions to Dismiss
12 Pursuant to Federal Rules of Civil Procedure 12(b)(6) and Motion to Dismiss or Strike Plaintiff's
13 First Amended Complaint, and 3) hearing on Defendants' Motions to Dismiss Pursuant to Federal
14 Rules of Civil Procedure 12(b)(2). Having reviewed and considered the parties' stipulation:

15 IT IS HEREBY ORDERED AS FOLLOWS:

16 1. Plaintiff's oppositions to Defendants' Motions to Dismiss Pursuant to Federal Rules
17 of Civil Procedure 12(b)(6) and Motion to Dismiss or Strike Plaintiff's First Amended Complaint
18 will be due on July 13, 2011. Defendants' replies in support of those motions will be due July 27,
19 2011.

20 2. Defendants' Motion to Dismiss Pursuant to Federal Rules of Civil Procedure
21 12(b)(2) will be scheduled for hearing on September 22, 2011. Plaintiff's opposition
22 shall be due September 1, 2011. Defendants' reply shall be due
23 September 8, 2011.

24 3. Plaintiff's oppositions to Defendants' Motion to Strike
25 and Rule 12(b)(6) Motions to Dismiss and shall be contained in a
26 single brief not to exceed thirty-five pages. Defendants' replies
27 in support of the same shall be contained in a single brief not to
28 exceed twenty pages.

4. A case management conference will be held on October
18, 2011 at 2:00 p.m.

IT IS SO ORDERED.

Date: June 30, 2011


CLAUDIA WILKEN

