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10 Attorneys for Plaintiff North East Medical Services, Inc.

11
 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14

<p>15 NORTH EAST MEDICAL SERVICES, INC., 16 17 <i>Plaintiffs,</i> v. 18 CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES AGENCY, 19 STATE OF CALIFORNIA, et al., 20 <i>Defendants.</i></p>	<p>CASE NO. 12-CV-02895 CW STIPULATION TO CONTINUE DATE OF HEARINGS AND CASE MANAGEMENT CONFERENCE; AND PROPOSED ORDER</p>
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21 **STIPULATION**

22 WHEREAS, the hearing on State and Federal Defendants' Motions to Dismiss and the
 23 Case Management Conference is currently set for October 11, 2012;

24 AND WHEREAS, Plaintiffs' have filed a Motion to Strike a portion of State
 25 Defendant's Reply to Opposition to Motion to Dismiss, and as Plaintiffs believe the outcome of
 26 the pending Motion to Strike may affect the pending Motion to Dismiss, the parties have agreed
 27 to continue the hearing date on the Motions to Dismiss and the Case Management Conference
 28

1 to November 15, 2012 in order to be heard concurrently with the Motion to Strike.

2 THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiffs North East
3 Medical Services, Inc. and Defendants California Department of Health Care Services; Toby
4 Douglas, Director of the California Department Health Care Services; State of California;
5 United States Department of Health and Human Services; and Kathleen Sebelius, Secretary of
6 United States Department of Health and Human Services, through their respective counsel, in
7 accordance with Civ. L. R. 6-2 and 7-12, that:

8 1. The hearing on Plaintiff's Motion to Strike will be heard on November 15,
9 2012 at 2:00 p.m. and Defendants' Motions to Dismiss and the Case Management Conference
10 in the above entitled action currently set for October 11, 2012 at 2:00 p.m. shall be continued to
11 November 15, 2012 at 2:00 p.m.

12 Dated: October 10, 2012

KAMALA D. HARRIS
Attorney General of California
By ___/s/
Hadara R. Stanton
Deputy Attorney General
Attorneys for State Defendants

16 Dated: October 10, 2012

MELINDA HAAG United States Attorney
By ___/s/
Ila C. Deiss
Assistant United States Attorney
Attorneys for Federal Defendants

19 Dated: October 10, 2012

FELDESMAN TUCKER LEIFER FIDELL LLP
LAW OFFICES OF ROBERT F. KANE

s/RFK
By: Robert F. Kane
Attorneys for Plaintiffs
North East Medical Services, Inc.

23 ~~PROPOSED~~ ORDER

24 PURSUANT TO STIPULATION, IT IS SO ORDERED, except that the motion to strike
25 is decided on the papers and is denied.

26 Dated: 10/10/2012


CLAUDIA WILKEN
United States District Judge