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13 Attorneys for Defendant
 RENAL TREATMENT CENTERS –
 14 CALIFORNIA, INC., erroneously sued as DaVITA
 HEALTHCARE PARTNERS INC.

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 SANDRA HATFIELD, an individual;
 LAUREL ANTONUCCI, an individual;
 20 and MAUREEN PATRICIA MURPHY, an
 individual,

21 Plaintiffs,

22 v.

23 DaVITA HEALTHCARE PARTNERS,
 24 INC.; and Does 1 through 50, inclusive,

25 Defendant.

Case No. 13-CV-05206 SBA

**STIPULATION FOR AN EXTENSION OF
 TIME FOR DEFENDANTS' TO RESPOND
 TO THE FIRST AMENDED COMPLAINT**

Dept.: Courtroom 1 - 4th Floor
 Judge: Hon. Sandra B. Armstrong

Complaint Filed: October 4, 2013

1 Plaintiffs Sandra Hatfield, Laurel Antonucci and Maureen Patricia Murphy
2 (“Plaintiffs”) and Defendant Renal Treatment Centers – California, Inc., erroneously sued as DaVita
3 Healthcare Partners Inc. (“Defendant”), by and through its respective counsel of record, hereby
4 stipulate and agree as follows:

5 1. **WHEREAS**, Plaintiffs filed their Complaint in the Superior Court of the State
6 of California in Napa County on October 4, 2013;

7 2. **WHEREAS**, Defendant timely removed the action and filed a motion to
8 dismiss Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure Rule 12(b)(6);

9 3. **WHEREAS**, this Court granted Defendant’s motion to dismiss Plaintiffs’
10 Complaint with leave to amend and ordered Plaintiffs to file their First Amended Complaint
11 consistent with the Court’s rulings by June 9, 2014 and to meet and confer regarding the sufficiency
12 of Plaintiffs’ amended allegations;

13 4. **WHEREAS**, Plaintiffs filed their First Amended Complaint on June 9, 2014
14 and Defendant’s first responsive pleading is due Thursday, June 26, 2014;

15 5. **WHEREAS**, this Court requires the parties to meet and confer prior to the
16 filing of any noticed motion and Defendant informed Plaintiffs that it considers the factual
17 allegations in Plaintiffs First Amended Complaint insufficient to satisfy the pleading requirements of
18 FRCP Rule 8(a)(2), intends to file a second Motion to Dismiss pursuant to FRCP Rule 12(b)(6), and
19 invited Plaintiffs to meet and confer regarding the sufficiency of their amended allegations;

20 6. **WHEREAS**, the parties have agreed to stipulate to extending the deadline for
21 Defendant to respond to Plaintiffs’ First Amended Complaint to July 10, 2014 to give the parties
22 time to meet and confer and to give Plaintiffs the opportunity to file a Second Amended Complaint;

23 **THEREFORE,**

24 Pursuant to Rule 6-1(a) of the Local Rules of the United States District Court for the
25 Northern District of California, the Parties hereby stipulate: (1) to extend the deadline for Defendant
26 to respond to Plaintiffs’ First Amended Complaint to July 10, 2014; (2) to allow Plaintiffs to file a
27 Second Amended Complaint by July 10, 2014 if they so choose following the parties’ meet and
28 confer; and (3) in the event Plaintiffs’ file a Second Amended Complaint on July 10, 2014,

STIP. FOR AN EXTENSION OF TIME FOR
DEFT'S TO RESPOND TO FAC

1.

CASE NO. 13-CV-05206 SBA

1 Defendant's deadline to file an Answer or otherwise respond to Plaintiffs' Second Amended
2 Complaint shall be in accordance with applicable Rules in the Federal Rules of Civil Procedure
3 and/or the Northern District Court's Local Rules.

4 **IT IS SO STIPULATED.**

5 Dated: June 26, 2014

/s/ Kai-Ching Cha

KAI-CHING CHA

LITTLER MENDELSON, P.C.

Attorneys for Defendant

RENAL TREATMENT CENTERS –

CALIFORNIA, INC., erroneously sued as

DAVITA HEALTHCARE PARTNERS INC.

10 Dated: June 26, 2014

/s/ Vincent M. Spohn

VINCENT M. SPOHN

LAW OFFICES OF VINCENT M. SPOHN,

A.P.C.

Attorney for Plaintiffs SANDRA

HATFIELD, LAUREL ANTONUCCI, and

MAUREEN PATRICIA MURPHY

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ORDER

The Court, having considered the Parties' stipulation, hereby grant the parties' request: (1) to extend the deadline for Defendant to respond to Plaintiffs' First Amended Complaint to July 10, 2014; (2) to allow Plaintiffs' to file a Second Amended Complaint by July 10, 2014 if they so choose following the parties' meet and confer; and (3) in the event Plaintiffs to file a Second Amended Complaint by July 10, 2014, then the deadline for Defendant to file its Answer or otherwise respond to Plaintiffs' Second Amended Complaint shall be in accordance with applicable Rules in the Federal Rules of Civil Procedure and/or the Northern District Court's Local Rules.

IT IS SO ORDERED.

Dated: 6/26/2014


HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge

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