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13 Attorneys for Defendant
 RENAL TREATMENT CENTERS –
 14 CALIFORNIA, INC., erroneously sued as DaVITA
 HEALTHCARE PARTNERS INC.
 15

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
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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.
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Case No. 13-CV-05206 SBA

**STIPULATION FOR AN EXTENSION OF
 TIME FOR DEFENDANT'S TO RESPOND
 TO THE SECOND AMENDED
 COMPLAINT AND ~~PROPOSED~~ ORDER**

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**, Defendant filed a motion to dismiss Plaintiffs’ original
6 Complaint pursuant to Federal Rule of Civil Procedure Rule 12(b)(6);

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

11 3. **WHEREAS**, the parties stipulated twice to continue the deadline to respond
12 to Plaintiff’s First Amended Complaint to give the parties time to meaningfully meet and confer and
13 to decide whether to participate in private mediation;

14 4. **WHEREAS**, Plaintiffs timely filed their Second Amended Complaint on July
15 17, 2014;

16 5. **WHEREAS**, Defendant’s deadline to file an Answer or otherwise respond to
17 Plaintiffs’ Second Amended Complaint is July 31, 2014 and Defendant sent Plaintiffs its proposed
18 Motion to Dismiss the Second Amended Complaint pursuant to FRCP Rule 12(b)(6) for failure to
19 state a claim;

20 6. **WHEREAS**, in order to allow the parties the opportunity to meet and confer
21 regarding the sufficiency Plaintiffs’ amended allegations contained in Plaintiffs’ Second Amended
22 Complaint and to allow the parties the opportunity to decide whether to participate in private
23 mediation, the parties stipulate: (1) to extend the deadline for Defendant to respond to Plaintiffs’
24 Second Amended Complaint to August 20, 2014; (2) to allow Plaintiffs to file a Third Amended
25 Complaint by August 20, 2014 if they so choose following the parties’ meet and confer; and (3) in
26 the event Plaintiffs’ file a Third Amended Complaint on August 20, 2014, Defendant’s deadline to
27 file an Answer or otherwise respond to Plaintiffs’ Third Amended Complaint shall be in accordance

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1 with applicable Rules in the Federal Rules of Civil Procedure and/or the Northern District Court's
2 Local Rules.

3 7. **WHEREAS**, the parties' request is not made for the purpose of delay or any
4 other improper purpose.

5 **THEREFORE,**

6 Pursuant to Rule 6-1(a) of the Local Rules of the United States District Court for the
7 Northern District of California, the Parties hereby stipulate: (1) to extend the deadline for Defendant
8 to respond to Plaintiffs' Third Amended Complaint from July 31, 2014 to August 20, 2014 to give
9 the parties time to meet and confer and decide whether to participate in private mediation; (2) to
10 allow Plaintiffs to file a Third Amended Complaint by August 20, 2014; and (3) in the event
11 Plaintiffs' file a Third Amended Complaint on August 20, 2014, Defendant's deadline to file an
12 Answer or otherwise respond to Plaintiffs' Third Amended Complaint shall be in accordance with
13 applicable Rules in the Federal Rules of Civil Procedure and/or the Northern District Court's Local
14 Rules.

15 **IT IS SO STIPULATED.**

16 Dated: July 31, 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.

21 Dated: July 31, 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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PROPOSED ORDER

The Court, having considered the Parties' stipulation, hereby grant the parties' request: (1) to extend the deadline for Defendant to respond to Plaintiffs' Second Amended Complaint from July 31, 2014 to August 20, 2014 to give the parties time to meet and confer and to decide whether to participate in private mediation; (2) to allow Plaintiffs to file a Third Amended Complaint by August 20, 2014; and (3) in the event Plaintiffs' file a Third Amended Complaint on August 20, 2014, Defendant's deadline to file an 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: 8 / 4 / 2014


HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge

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