

\* E-filed 01/07/2010 \*

**IN THE UNITED STATES DISTRICT COURT  
FOR NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

Richard B. Fox, M.D.,  
Plaintiff,  
v.

Good Samaritan Hospital LP, et al.,  
Defendants.

Case No. C 04-00874 RS

[Consolidated for all purposes with Case No. 08 CV 01098 RS]

~~PROPOSED~~ **FURTHER CASE  
MANAGEMENT SCHEDULING ORDER**

Date: N/A

Time: N/A

Place: Courtroom 4, Fifth Floor

Hon. Mag. Judge Richard Seeborg

AND CONSOLIDATED CASE
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Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a further Case Management Conference was held on December 17, 2009. After consulting with the attorneys of record for the parties and good cause appearing, **IT IS HEREBY ORDERED THAT:**

- i) On or before **January 13, 2010**, Defendant HCA Inc. will file its Motion for Summary Judgment.
- ii) On or before **January 27, 2010**, Plaintiff Dr. Fox will file his brief in opposition.
- iii) On or before **February 3, 2010**, Defendant HCA Inc. will file its reply brief.
- iv) Oral argument on the above-referenced motion will be held on **February 17, 2010**, in Courtroom 4 at the United States Courthouse, 280 S. First Street, San Jose, California at **9:30 a.m.** unless the Court later specifies a different date or time.

The attorneys for Plaintiff and HCA Inc. have agreed to this schedule, and herein so stipulate to the Court.

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Dated: January 6, 2010

HENNEFER FINLEY & WOOD LLP

By: /s/ James A. Hennefer  
JAMES A. HENNEFER  
Attorneys for Richard B. Fox, M.D.

Dated: January 6, 2010

SHANNON, MARTIN, FINKELSTEIN &  
ALVARADO, P.C.


By: /s/ George A. Shannon, Jr.  
GEORGE A. SHANNON, JR.  
Attorneys for Defendant HCA Inc.

Dated: January 6, 2010

HARDY ERICH BROWN & WILSON

By: /s/ David Perrault  
DAVID PERRAULT  
Sponsoring local co-counsel for  
Defendant HCA Inc.

Dated: January 7, 2010



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HON. RICHARD SEEBORG  
~~MAGISTRATE~~ JUDGE OF THE  
UNITED STATES DISTRICT COURT

1 **CERTIFICATION BY DAVID PERRAULT PURSUANT TO GENERAL RULE NO. 45,**  
2 **SECTION X. RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

3 1. I am a lawyer licensed to practice law in the State of California, and am a partner  
4 in the law firm of Hardy Erich Brown & Wilson, sponsoring counsel for HCA Inc. The  
5 statements herein are made on my personal knowledge, and if called as a witness I could and  
6 would testify thereto.

7 2. The above e-filed document contains multiple signatures. I declare that  
8 concurrence has been obtained from each of the other signatories to file this jointly prepared  
9 document with the Court. Pursuant to General Rule No. 45, I shall maintain records to support  
10 this concurrence for subsequent production for the Court if so ordered, or for inspection upon  
11 request by a party until one year after final resolution of the action (including appeal, if any).

12 I declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct on January 6, 2010.

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17 /s/ David Perrault  
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