E-Filed 6/2/2011 1 MIGUEL MÁRQUEZ, County Counsel (S.B. #184621) ROBERT M. COELHO, Lead Deputy County Counsel (S.B. #160583) GREGORY J. SEBASTINELLI, Deputy County Counsel (S.B. #104884) 2 MICHAEL A. WAHLANDER, Deputy County Counsel (S.B. #260781) OFFICE OF THE COUNTY COUNSEL 3 70 West Hedding, East Wing, 9th Floor San Jose, California 95110-1770 4 Telephone: (408) 299-5900 5 Facsimile: (408) 292-7240 6 Attorneys for Defendants COUNTY OF SANTA CLARA and its 7 SANTA CLARA VALLEY MEDICAL CENTER, HOLLISTER BREWSTER, M.D., 8 ALFONSO BANUELOS, M.D., DOLLY GOEL, M.D., and PETER GREGOR, M.D. 9 10 CHARLES A. BONNER, ESQ. (S.B. #85413) A. CABRAL BONNER, ESO. (S.B. #247528) 11 LAW OFFICES OF BONNER & BONNER 475 Gate 5 RD, Suite 212 12 Sausalito, California 94965 Telephone: (415) 331-3070 13 Facsimile: (415) 331-2738 14 Attorneys for Plaintiffs THRESSA WALKER, GEETA SINGH, M.D., 15 and KAI IHNKEN, M.D. 16 17 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA 18 (San Jose) 19 20 THRESSA WALKER et al., 10-CV-04668 JF No. Plaintiffs, STIPULATION AND ORDER REGARDING 21 PLAINTIFFS' SECOND AMENDED 22 COMPLAINT AND ANTICIPATED THIRD v. AMENDED COMPLAINT 23 COUNTY OF SANTA CLARA et al., 24 Defendants. 25 26 On its face, the three individual Plaintiffs' Second Amended Complaint alleges 27 twenty-seven causes of action against Defendant County of Santa Clara and four individual defendants. On April 29, 2011, pursuant to the parties' Stipulation, the Court ordered that 28 Stipulation and Order Re Plaintiffs' Second Amended Complaint and 1

MIGUEL MÁROUEZ County Counsel ounty of Santa Clara San Jose, California

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Defendants would have to and including May 28, 2011 by which to respond to Plaintiffs' 1 2 Second Amended Complaint. 3 The parties are engaged in good faith discussions regarding Defendants' contention that 4 certain defendants and/or causes of action in the Second Amended Complaint are not viable. To 5 avoid extensive motion practice and in the interests of justice, Plaintiffs are agreeable to 6 drafting a proposed Third Amended Complaint to modify the pleadings and eliminate certain 7 claims and/or defendants from certain causes of action, following further discussions with 8 Defendants. Defendants are agreeable to considering that proposed Third Amended Complaint 9 and filing responses to that pleading. 10 To ensure that this case continues to move forward, the parties, through their respective 11 counsel of record, hereby stipulate and agree to the following Order: 12 1. Plaintiffs and Defendants shall agree upon the form and content of a proposed Third 13 Amended Complaint, and Plaintiffs shall file said pleading by June 10, 2011 (the date of the 14 next case management conference) or, alternatively, plaintiffs may file a Third Amended 15 Complaint in the form Plaintiffs determine by June 10, 2011. // 16 17 // 18 19 20 // 21 // 22 // 23 // 24 // 25 //

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1	2. Defendants shall not be required to respond to Plaintiffs' Second Amended		
2	Complaint, as the parties anticipate that it will soon be superseded by a Third Amended		
3	Complaint. The Third Amended Complaint shall be deemed to have been served on the County		
4	of Santa Clara and the four current individually-named defendants upon Plaintiffs' filing of that		
5	Third Amended Complaint. Defendants shall file responsive pleadings to the Third Amended		
6	Complaint within 45 days from the filing of that Third Amended Complaint.		
7	I hereby attest that I have on file all holograph signatures for any signatures indicated by a		
8	"conformed" signature (/S/) within this efiled document.		
9	IT IS SO STIPULATED		
10			MIGUEL MÁRQUEZ County Counsel
11	D . 1 M . 22 2011	D	(0.)
1213	Dated: May 23, 2011	By:	GREGORY J. SEBASTINELLI Deputy County Counsel
14			Attorneys for County Defendants
15			
16			LAW OFFICES OF
17			BONNER & BONNER
18	Dated: May 23, 2011	By:	A. CABRAL BONNER, ESQ.
19			Attorneys for Plaintiffs
20			
21			
22		ORDEI	2
23	ORDER		
24	IT IS SO ORDERED.		
25	0/0/0044		
26	6/2/2011 Date:		HONG ARI F IFI F TO FIGE
27	414900 umd		Unit of States District Court Judge
28	414900.wpd		