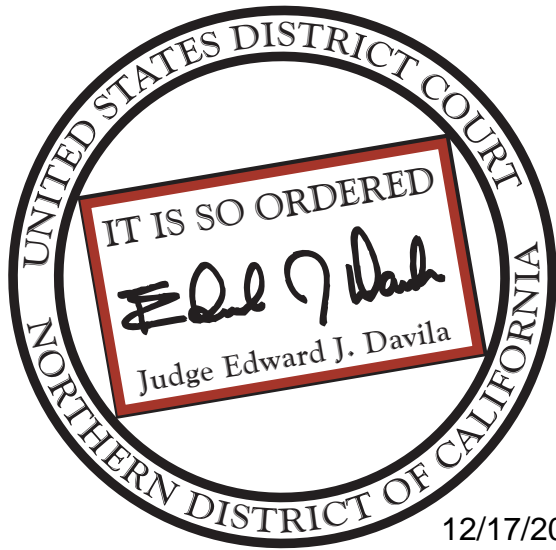


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12/17/2013

8 Attorneys for Plaintiffs BAY AREA SURGICAL
 9 GROUP, INC.; KNOWLES SURGERY
 10 CENTER, LLC, NATIONAL AMBULATORY
 11 SURGERY CENTER, LLC, LOS ALTOS
 12 SURGERY CENTER, LP, FOREST
 13 AMBULATORY SURGICAL
 14 ASSOCIATES, LP, and SOAR SURGERY
 15 CENTER, LLC

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

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13 BAY AREA SURGICAL GROUP, INC.;
 14 KNOWLES SURGERY CENTER, LLC;
 15 NATIONAL AMBULATORY SURGERY
 16 CENTER, LLC; LOS ALTOS SURGERY
 17 CENTER, LP; FOREST AMBULATORY
 18 SURGICAL ASSOCIATES, LP; SOAR
 19 SURGERY CENTER, LLC,

CASE NO. 13-CV-05430 EJD
**STIPULATION TO EXTEND TIME TO
 RESPOND TO INITIAL COMPLAINT
 (L.R. 6-1(a))**

Complaint Filed: November 22, 2013
 Trial Date: None set

18 Plaintiffs,
 19 vs.
 20 AETNA LIFE INSURANCE COMPANY, *et*
 21 *al.*,
 22 Defendants.

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Plaintiffs Bay Area Surgical Group, Inc., Knowles Surgery Center, LLC, National Ambulatory Surgery Center, LLC, Los Altos Surgery Center, LP, Forest Ambulatory Surgical Associates, LP, and SOAR Surgery Center, LLC (“Plaintiffs”) and Defendants VMware, Inc., VMware, Inc. Flexible Spending Account Plan, and VMware Group Health Plan (the “VMware Defendants”), through their undersigned counsel of record, hereby stipulate to extend the date for the VMware Defendants to answer or otherwise respond to Plaintiffs’ initial complaint (the “Complaint”) in this matter as follows:

WHEREAS, the Complaint was filed on November 22, 2013;

WHEREAS, the VMware Defendants were served with the Complaint by personal service on November 25, 2013;

WHEREAS, the VMware Defendants’ deadline to answer or otherwise respond to the Complaint is December 16, 2013;

WHEREAS, the VMware Defendants have requested an extension of time to answer or otherwise respond to the Complaint;

WHEREAS, Plaintiffs have agreed to extend the time for the VMware Defendants to answer other otherwise respond to the Complaint until January 10, 2014;

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NOW THEREFORE, IT HEREBY IS STIPULATED by and between Plaintiffs and the
VMware Defendants, through their counsel of record, that the deadline for the VMware
Defendants to answer or otherwise respond to the Complaint shall be extended until **January 10,**
2014.

IT IS SO STIPULATED.

DATED: December ¹⁶12, 2013

HOOPER, LUNDY & BOOKMAN, P.C.

By:



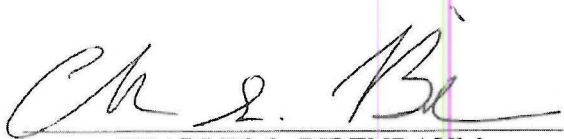
KATHERINE M. DRU

Attorneys for Plaintiffs BAY AREA SURGICAL GROUP,
INC.; KNOWLES SURGERY CENTER, LLC,
NATIONAL AMBULATORY SURGERY CENTER,
LLC, LOS ALTOS SURGERY CENTER, LP, FOREST
AMBULATORY SURGICAL ASSOCIATES, LP and
SOAR SURGERY CENTER, LLC

DATED: December ¹⁶16, 2013

VMWARE, INC.

By:



CHARLES S. BIRENBAUM

Attorneys for Defendants VMWARE, INC.,
VMWARE, INC. FLEXIBLE SPENDING ACCOUNT
PLAN, and VMWARE GROUP HEALTH PLAN