

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

1 Philip Goodhart (Bar No. 5332)
PNG@thorndal.com
2 THORNDAL, ARMSTRONG, DELK
3 BALKENBUSH & EISINGER
1100 E. Bridger Avenue
4 Las Vegas, NV 89101
Telephone: 702.366.0622
5 Facsimile: 702.366.0327

JAMES J. PISANELLI, ESQ.
Nevada Bar No. 4027
PISANELLI BICE, PLLC
400 S. 7th Street, Suite 300
Las Vegas, NV 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101
Email: jjp@pisanellibice.com

6 Merril Hirsh (admitted *pro hac vice*)
merril@merrilhirsh.com
7 LAW OFFICE OF MERRIL HIRSH PLLC
8 2837 Northampton St., NW
Washington, D.C. 20015
9 Telephone: 202.448.9020

R. JEFFREY LAYNE, ESQ. (admitted *pro hac vice*)
REED SMITH LLP
111 Congress Avenue, Suite 400
Austin, TX 78701
Telephone: (512) 623-1801
Facsimile: (512) 623-1802
Email: jlayne@reedsmith.com

10 Frederick J. Morgan (*pro hac vice*)
rmorgan@morganverkamp.com
11 Jennifer M. Verkamp (*pro hac vice*)
12 jverkamp@morganverkamp.com
13 Sonya A. Rao (*pro hac vice*)
sonya.rao@morganverkamp.com
14 Ian M. Doig (*pro hac vice*)
idoig@morganverkam.com
15 MORGAN VERKAMP LLC
35 East Seventh Street, Suite 600
16 Cincinnati, OH 45202
Telephone: 513.651.4400
17 Facsimile: 513.651.4405

JAMES L. SANDERS, ESQ. (admitted *pro hac vice*)
REED SMITH LLP
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067
Telephone: (310) 734-5200
Facsimile: (310) 734-5299
Email: jsanders@reedsmith.com

*Attorneys for Defendants HealthSouth Corp.
And HealthSouth of Henderson, Inc.*

18 *Attorneys for Plaintiff-Relator Joshua Luke*

19 **UNITED STATES DISTRICT COURT**
20 **DISTRICT OF NEVADA**

21 UNITED STATES OF AMERICA, *ex rel.*,
Joshua Luke,

22 Plaintiff,

23 v.

24 HEALTHSOUTH CORPORATION,
25 HEALTHSOUTH OF HENDERSON, INC. and
KENNETH BOWMAN,

26 Defendants.
27
28

Case No.: 2:13-cv-01319-APG-VCF

**JOINT STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINES SET
FORTH IN SPECIAL MASTER'S ORDER
RE: PLAINTIFF'S MOTION TO COMPEL
AND JOINT PROPOSED REVISED
SCHEDULING ORDER (DOC. 213)**

[DISCOVERY ISSUES ASSIGNED TO
SPECIAL MASTER DAVID M. TENNER]

1 Plaintiff-Relator Joshua Luke (“Plaintiff”), as relator in this action, Defendants HealthSouth
2 Corporation (“HealthSouth”) and HealthSouth of Henderson, Inc. (“HealthSouth Henderson”)
3 (collectively, “HealthSouth Defendants”), and Defendant Kenneth Bowman (“Bowman”) by and
4 through their undersigned counsel, state as follows:

5 1. Whereas, the Court appointed a Special Master to oversee the discovery process on
6 April 17, 2019 (Dkt. # 185);

7 2. Whereas, the Court appointed David M. Tenner as Special Master pursuant to the
8 Parties’ Joint Stipulation Concerning the Appointment of a Special Master (Dkt. #198);

9 3. Whereas, the Special Master’s Order re: Plaintiff’s Motion to Compel and Joint
10 Proposed Revised Scheduling Order (“Special Master’s Order”) (Dkt. #213) was issued in writing on
11 July 19, 2019, and stated that the rulings therein “were made effective as of the date of the hearing,
12 July 10, 2019”;

13 4. Whereas, the Special Master’s Order set forth various deadlines related to discovery,
14 including: (i) all responsive documents shall be produced by August 20, 2019; (ii) Plaintiff shall be
15 entitled to take the Rule 30(b)(6) deposition of Defendant HealthSouth on or before September 10,
16 2019; and (iii) the Parties shall file a Stipulated Revised Scheduling Order or Status Report on or
17 before September 10, 2019;

18 5. Whereas, the HealthSouth Defendants filed their objections to the Special Master’s
19 Order on July 26, 2019 (Dkt. 216);

20 6. Whereas, the HealthSouth Defendants have communicated to Plaintiff that they are in
21 the process of finalizing a production of documents that they plan to produce by August 14, 2019;

22 7. Whereas, the Parties are scheduled to hold a joint meeting with the United States
23 Department of Justice (“DOJ”) on August 13, 2019 to discuss this action;

24 8. Whereas, in light of the upcoming meeting with the DOJ, the Parties wish to extend the
25 discovery deadlines set forth in the Special Master’s Order.

26 Accordingly, the Parties to this stipulation hereby stipulate and agree to the entry of an order
27 by the Special Master extending all deadlines set forth in the Special Master’s Order by fourteen days,
28

1 with the exception that the production HealthSouth Defendants are currently in the process of
2 finalizing will continue to be produced by August 14, 2019, unless Parties later stipulate otherwise.

3 The new deadlines related to discovery shall be as follows: (i) all responsive documents shall
4 by produced by September 3, 2019; (ii) Plaintiff shall be entitled to take the Rule 30(b)(6) deposition
5 of Defendant HealthSouth on or before September 24, 2019; and (iii) the Parties shall file a Stipulated
6 Revised Scheduling Order or Status Report on or before September 24, 2019.

7 This stipulation is made in good faith, not interposed for delay, and not filed for an improper
8 purpose.

9
10 DATED this 8th day of August, 2019.

11 **PISANELLI BICE, PLLC**

12 /s/ James Pisanelli

13 JAMES J. PISANELLI, ESQ.
14 Nevada Bar No. 4027
400 S. 7th Street, Suite 300
Las Vegas, NV 89101

DATED this 8th day of August, 2019.

**THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISINGER**

15 /s/ Philip Goodhart

16 PHILIP GOODHART, ESQ.
17 Nevada Bar No. 5332
1100 E. Bridger Avenue
Las Vegas, NV 89101

18 DATED this 8th day of August, 2019.

19 **REED SMITH LLP**

20 /s/ James L. Sanders

21 JAMES L. SANDERS, ESQ.
22 (admitted pro hac vice)
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067

DATED this 8th day of August, 2019.

LAW OFFICE OF MERRIL HIRSH

23 /s/ Merrill Hirsh

24 MERRIL HIRSH, ESQ.
25 (admitted pro hac vice)
2837 Northampton St., NW
Washington, D.C. 20015

26 *Attorneys for Defendants HealthSouth Corp.
27 and HealthSouth of Henderson, Inc.*
28

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

1 DATED this 8th day of August, 2019.

DATED this 8th day of August, 2019.

2 **BRADLEY ARANT BOLT CUMMINGS**
3 **LLP**

MORGAN VERKAMP LLC

4 /s/ Kimberly B. Martin

/s/ Frederick M. Morgan

FREDERICK M. MORGAN

(admitted pro hac vice)

SONYA A. RAO

(admitted pro hac vice)

35 East Seventh St., Suite 600

Cincinnati, OH 45202

5 Jack W. Selden (admitted *pro hac vice*)

6 1819 Fifth Avenue North

Birmingham, AL 35203

7 Kimberly B. Martin (admitted *pro hac vice*)

200 Clinton Avenue West, Suite 900

8 Huntsville, AL 35801

Attorneys for Relator Joshua Luke

9
10 **SEMENZA KIRCHER RICKARD**

11 /s/ Christopher D. Kircher

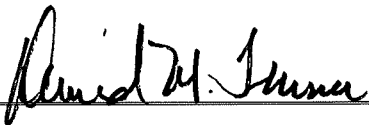
12 Christopher D. Kircher

10161 Park Run Dr., Ste. 150

13 Las Vegas, NV 89145

14 *Attorneys for Defendant Kenneth Bowman*

16 IT IS SO ORDERED:

17 
18 _____

19 SPECIAL MASTER DAVID M. TENNER

20
21 DATED: 8/9/19

22 CASE NO.: 2:13-cv-01319-APG-VCF

REED SMITH LLP
A limited liability partnership formed in the State of Delaware