

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

6 Merrill 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

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

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

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

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

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.*

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

**JOINT STIPULATION AND [PROPOSED]  
ORDER VACATING HEARING ON  
DEFENDANTS' OBJECTIONS TO  
SPECIAL MASTER'S ORDER**

Hon. Cam Ferenbach

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, Plaintiff filed his Opposition to Defendants’ Objections to the  
21 Special Master’s Ruling on August 9, 2019 (Dkt. 220);

22 7. Whereas, on August 13, 2019, the Court issued an order setting a hearing on  
23 Defendants’ Objections to Special Master’s Order for September 6, 2019 (Dkt. 222);

24 8. Whereas, during the course of a joint meeting that took place on August 13, 2019, the  
25 Parties and the United States Department of Justice (“DOJ”) arrived at a tentative settlement to resolve  
26 this action which they are currently in the process of finalizing;

27 9. Whereas, in light of the tentative settlement that was reached at the August 13, 2019  
28 meeting and the ongoing efforts by the Parties and the DOJ to reach a final settlement that will resolve

1 this action, the Parties wish to take the hearing on Defendants' Objections to Special Master's Order  
2 off calendar until further notice.

3 Accordingly, the Parties to this stipulation hereby stipulate and agree to the entry of an order  
4 by the Court vacating the hearing on Defendants' Objections to Special Master's Order set for  
5 September 6, 2019 until further notice. Within 28 days of the entry of this order, the Parties shall  
6 report back to the Court on the status of the settlement discussions and whether it is necessary to  
7 reschedule the hearing on Defendants' Objections to Special Master's Order.

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

11 DATED this 27th day of August, 2019.

12 **PISANELLI BICE PLLC**

13 /s/ James J. Pisanelli  
14 JAMES J. PISANELLI, ESQ.  
15 Nevada Bar No. 4027  
16 400 S. 7th Street, Suite 300  
17 Las Vegas, NV 89101

DATED this 27th day of August, 2019.

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

/s/ Philip Goodhart  
PHILIP GOODHART, ESQ.  
Nevada Bar No. 5332  
1100 E. Bridger Avenue  
Las Vegas, NV 89101

18 DATED this 27th day of August, 2019.

19 **REED SMITH LLP**

20 /s/ James L. Sanders  
21 JAMES L. SANDERS, ESQ.  
22 (admitted pro hac vice)  
23 1901 Avenue of the Stars, Suite 700  
24 Los Angeles, CA 90067

DATED this 27th day of August, 2019.

**LAW OFFICE OF MERRIL HIRSH**

/s/ Merrill Hirsh  
MERRIL HIRSH, ESQ.  
(admitted pro hac vice)  
2837 Northampton St., NW  
Washington, D.C. 20015

25 *Attorneys for Defendants HealthSouth Corp.*  
26 *and HealthSouth of Henderson, Inc.*  
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DATED this 27th day of August, 2019.

**BRADLEY ARANT BOLT CUMMINGS  
LLP**

/s/ Kimberly B. Martin

JACK W. SELDEN, ESQ.

(admitted *pro hac vice*)

1819 Fifth Avenue North

Birmingham, AL 35203

KIMBERLY B. MARTIN, ESQ.

(admitted *pro hac vice*)

200 Clinton Avenue West, Suite 900

Huntsville, AL 35801

**SEMENZA KIRCHER RICKARD**

/s/ Christopher D. Kircher

CHRISTOPHER D. KIRCHER, ESQ.

10161 Park Run Dr., Ste. 150

Las Vegas, NV 89145

*Attorneys for Defendant Kenneth Bowman*

DATED this 27th day of August, 2019.

**MORGAN VERKAMP LLC**

/s/ Frederick M. Morgan

FREDERICK M. MORGAN, ESQ.

(admitted *pro hac vice*)

SONYA A. RAO

(admitted *pro hac vice*)

35 East Seventh St., Suite 600

Cincinnati, OH 45202

*Attorneys for Relator Joshua Luke*

IT IS HEREBY ORDERED that the parties must  
file a status report on or before September 24, 2019.

IT IS SO ORDERED:



MAGISTRATE JUDGE CAM FERENBACH

8-27-2019

DATED: \_\_\_\_\_

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

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**CERTIFICATE OF SERVICE**

I certify that on August 27, 2019, a copy of this document was filed using the Court’s CM/ECF system. Copies of this document have been served by electronic means on all registered users of the Court’s CM/ECF system who have appeared in this case.

/s/ James L. Sanders  
James L. Sanders