

1 Patrick G. Byrne (NV Bar No. 7636)
Charles E. Gianelloni (NV Bar No. 12747)
2 SNELL & WILMER L.L.P.
3883 Howard Hughes Parkway, Suite 1100
3 Las Vegas, NV 89169
Telephone: (702) 784-5200
4 Facsimile: (702) 784-5252
Email: pbyrne@swlaw.com
5 Email: cgianelloni@swlaw.com

6 *Attorneys for Plaintiffs Sherif W. Abdou, M.D. and*
7 *Amir S. Bacchus, M.D.*

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 SHERIF W. ABDOU, M.D. and AMIR S.
11 BACCHUS, M.D.,

12 Plaintiffs,

13 vs.

14 DAVITA INC., HEALTHCARE PARTNERS
HOLDINGS, LLC, and HEALTHCARE
15 PARTNERS, LLC,

16 Defendants.

17 DAVITA INC., HEALTHCARE PARTNERS
18 HOLDINGS, LLC, and HEALTHCARE
PARTNERS, LLC,

19 Counterclaimants,

20 vs.

21 SHERIF W. ABDOU, M.D. and AMIR S.
22 BACCHUS, M.D.,

23 Counterdefendants,

Case No. 2:16-cv-02597-APG-CWH

STIPULATION TO EXTEND TIME TO
AMEND PLEADINGS
(THIRD REQUEST)

24 Sherif W. Abdou, M.D. and Amir S. Bacchus, M.D. (“Plaintiffs”) and Davita Inc.,
25 Healthcare Partners Holdings, LLC, and Healthcare Partners, LLC (“Defendants,” and with
26 Plaintiffs, the “Parties”) stipulate to extend the time to amend pleadings from March 12, 2018 to
27 April 11, 2018.
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1 The Court entered its discovery plan and scheduling order on June 15, 2017. (ECF No.
2 39.) In it, the Court set a September 13, 2017 deadline for the parties to amend pleadings. (ECF
3 No. 39.) On August 30, 2017, Plaintiffs filed their Substitution of Attorneys, which had the effect
4 of replacing Plaintiffs' prior counsel with the undersigned counsel. (ECF No. 47.) The Court
5 approved Plaintiffs' Substitution of Attorneys on August 31, 2017. (ECF No. 48.)

6 In recognition of Snell & Wilmer, LLP's substitution into the case, the Parties stipulated,
7 and the Court granted, a request to extend time to amend pleadings and add parties until
8 October 13, 2017 (ECF No. 53.) Due to the increasing complexity of the case as well as the need
9 to conduct a significant amount of written discovery and depositions, the Parties stipulated, and
10 the Court granted, a request to extend all discovery deadlines by several months. (ECF 60.) The
11 current deadline for the parties to add parties and amend pleadings is March 12, 2018. (*See id.*)

12 Eleven days after the Court entered the order setting the new discovery deadlines, on
13 October 24, 2017, Defendants filed their emergency motion for temporary restraining order and
14 preliminary injunction (ECF No. 64.) After significant briefing and multiple hearings, the Court
15 entered a preliminary injunction on November 17, 2017. (ECF. No. 92.) In connection with the
16 injunction, the Court offered to narrow or expand the injunction based on expedited discovery the
17 Parties chose to conduct.

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1 To that end, the Parties have spent virtually all the time between November 17, 2017 to
2 the present conducting written and oral discovery related to the injunction, and will likely
3 continue to do so for several more months. As such, the Parties request the Court extend the time
4 the Parties have to amend the pleadings or add parties by one month, from March 12, 2018 to
5 April 11, 2018. The Parties will submit an another Stipulation and Order extending all discovery
6 deadlines in the near future.

7 This is the third request for an extension of deadlines and is not intended to cause any
8 delay or prejudice to any party.

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10 DATED this 16th day of February 2018.

DATED this 16th day of February 2018.

11 SNELL & WILMER L.L.P.

BAILEY KENNEDY

12
13 /s/ Charles E. Gianelloni
14 Patrick G. Byrne (NV Bar No. 7636)
15 Charles E. Gianelloni (NV Bar No. 12747)
16 3883 Howard Hughes Parkway, Suite 1100
17 Las Vegas, Nevada 89169
18 Phone: (702) 784-5200
19 Fax: (702) 784-5252

/s/ Paul C. Williams
John R. Bailey (NV Bar No. 137)
Joshua M. Dickey (NV Bar No. 6621)
Kelly B. Stout (NV Bar No. 12105)
Paul C. Williams (NV Bar No. 12524)
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148
Phone: (702) 562-8820
Fax: (702) 562-8821

20 *Attorneys for Sherif W. Abdou, M.D. and*
21 *Amir S. Bacchus, M.D.*

Attorneys for Davita Inc., Healthcare Partners
Holdings, LLC and Healthcare Partners, LLC

22 IT IS SO ORDERED:

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25 UNITED STATES MAGISTRATE JUDGE

26 DATED: February 28, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2018, I electronically filed the foregoing **STIPULATION TO EXTEND TIME TO AMEND PLEADINGS (SECOND REQUEST)** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 16th day of February 2018.



An Employee of Snell & Wilmer L.L.P.