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DVH HOSPITAL ALLIANCE, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA ex rel.
TALI ARIK, M.D.

Plaintiff/Relator,

v.

DVH HOSPITAL ALLIANCE, LLC,

Defendant.

Case No.: 2:19-CV-01560-JAD-VCF

**STIPULATION AND
ORDER TO EXTEND TIME FOR
BRIEFING RELATED TO
DEFENDANT'S MOTION TO DISMISS
AND RELATOR'S COUNTERMOTION
FOR LEAVE TO FILE A SECOND
AMENDED COMPLAINT**

(First Request)

McDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
LOS ANGELES

1 On March 16, 2020, defendant DVH Hospital Alliance, LLC (“Desert View”) filed its
2 motion to dismiss the first amended complaint. ECF No. 22. Pursuant to a stipulated order,
3 Desert View’s reply brief is due three weeks after relator Dr. Tali Arik (“Dr. Arik”) filed his
4 opposition to the motion to dismiss. ECF No. 29. Dr. Arik later moved for, and was granted,
5 an extension of time to file his opposition to the motion to dismiss until June 30, 2020.
6 ECF No. 40. Dr. Arik filed his opposition on June 30, 2020. ECF No. 41. Under the stipulated
7 order, Desert View’s reply for the motion to dismiss is currently due on **July 21, 2020**. *See*
8 ECF No. 29.

9 Concurrently with his opposition to the motion to dismiss, Dr. Arik filed a
10 countermotion for leave to file a second amended complaint on June 30, 2020. ECF No. 42.
11 The proposed second amended complaint, which was submitted as Exhibit 1 to Dr. Arik’s
12 motion, contains a total of 437 allegations and seeks to add two new relators, four new
13 defendants, and new claims. *See* ECF No. 43. Under Local Rule of Practice 7-2,
14 Desert View’s response to the motion for leave to file a second amended complaint is due on
15 **July 15, 2020**, with Dr. Arik’s reply due on **July 22, 2020**.

16 Due to the size, scope, and complexity of the proposed second amended complaint and
17 the potential impact on the pending motion to dismiss, Desert View needs additional time to
18 file its reply brief for the motion to dismiss and its response to the countermotion for leave to
19 file a second amended complaint. Accordingly, the parties stipulate to extend their respective
20 deadlines for the remaining briefing related to both motions, as follows:

- 21 1. The deadline for Desert View’s reply in support of its motion to dismiss is
22 extended to July 31, 2020;
- 23 2. The deadline for Desert View’s response to the countermotion for leave to file
24 a second amended complaint is extended to July 31, 2020; and
- 25 3. The deadline for Dr. Arik’s reply in support of his countermotion for leave to
26 file a second amended complaint is extended to August 17, 2020.

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Dated: July 7, 2020

McDERMOTT WILL & EMERY LLP

By: /s/ Gregory R. Jones
GREGORY R. JONES
Attorneys for Defendant
DVH HOSPITAL ALLIANCE, LLC

Dated: July 7, 2020

JESSE SBAIH & ASSOCIATES, LTD.

By: Jesse M. Sbaih
JESSE M. SBAIH
Attorneys for Relator
TALI ARIK, M.D.

ORDER

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

Dated: July 7, 2020.

McDERMOTT WILL & EMERY LLP
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