

IN THE UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF TENNESSEE
 NASHVILLE DIVISION

CHS/COMMUNITY HEALTH SYSTEMS, INC.; TRIAD HEALTHCARE CORPORATION; and QUORUM HEALTH RESOURCES, LLC,)	
Plaintiffs/Counter-Defendants)	No. 3-11-0449
and)	
UNITED TORT CLAIMANTS, Plaintiff Intervenor)	Consolidated with Case No. 3-12-0248
v.)	
LEXINGTON INSURANCE COMPANY,)	
Defendant/Counter-Plaintiff)	
and)	
IRONSHORE SPECIALTY INSURANCE COMPANY)	
Defendant)	

ORDER

On August 29, 2012, counsel for the parties called the Court, at which time the following matters were addressed:

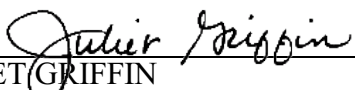
1. The motion of defendant Ironshore Specialty Insurance Company to quash depositions and to set an emergency case management conference call on the "shared limits" issue (Docket Entry No. 117) was effectively GRANTED.
2. There was extensive discussion about a stipulation relating to the New Mexico settlement and the shared limits issue. See Docket Entry Nos. 107-109, 113, and 117-18. The parties had hoped and, the Court understood, expected to enter into a stipulation that would obviate the need for any discovery on the shared limits issue and the need for any motions for summary judgment on the issue. Why the parties are not able to reach such a stipulation is not entirely clear to the Court, despite counsels' recitations of their competing concerns.

Counsel advised that Magistrate Judge Torgerson, who has already had a settlement conference and follow-up discussions with counsel in the New Mexico action, has scheduled a meeting with counsel on August 31, 2012. The same issue apparently threatens to blow up the New Mexico settlement--a result no one wants.

3. Since oral argument on the pending motions for partial summary judgment (Docket Entry Nos. 82, 83, and 87) is scheduled before the Honorable John T. Nixon on September 7, 2012, a hearing before the Magistrate Judge is scheduled on **Thursday, September 6, 2012, at 4:00 p.m.**, in Courtroom 764, U.S. Courthouse, 801 Broadway, Nashville, TN, to address whether the parties have been able to reach an appropriate stipulation and, if not, to address why the parties cannot reach an agreement.

4. In the event that the parties are not able to enter into a stipulation--which the Court earnestly hopes will not be the case--scheduling deadlines will be extended so as not to prejudice the parties' ability to conduct discovery as necessary and to timely file dispositive motions on the shared limits issue.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge