

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

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MINNEAPOLIS FIREFIGHTERS' RELIEF  
ASSOCIATION, on behalf of itself and all  
others similarly situated,

Plaintiff,

v.

COMMUNITY HEALTH SYSTEMS, INC.,  
WAYNE T. SMITH, W. LARRY CASH, and  
THOMAS MARK BUFORD,

Defendants.

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: Civil Action No. 3:11-cv-00601

: Judge Kevin H. Sharp

: Mag. Judge E. Clifton Knowles

**STIPULATION AND ORDER**

WHEREAS, Plaintiff Minneapolis Firefighters' Relief Association (“Minneapolis Firefighters”) has filed a complaint in this action against Defendants Community Health Systems, Inc., Wayne T. Smith, W. Larry Cash, and Thomas Mark Buford (collectively, the “Defendants”); and

WHEREAS, the parties have conferred regarding service of process and the timing of Defendants’ responses to the complaint in light of the “Lead Plaintiff” provisions of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4; and

WHEREAS, the parties anticipate that after a lead plaintiff is appointed and lead counsel approved by the Court, a consolidated complaint may be filed by the appointed lead plaintiff; and

WHEREAS, a Case Management Conference has been scheduled for August 18, 2011 at 10:00 AM, which would occur before the completion of briefing lead plaintiff motions;

NOW, THEREFORE, based on the foregoing recitals, the parties, by and through their respective counsel, hereby stipulate and agree as follows:

- 1) Defendants hereby accept service of the existing complaint and any papers or documents filed or served by Plaintiff in the Action, and hereby waive their defenses with respect to insufficiency of service of process in this District. Defendants, however, do not waive any objection to the jurisdiction of this Court or any other defenses;
- 2) Defendants do not have to answer or otherwise respond to the existing complaint or any amended complaint until the appointment of a lead plaintiff and the subsequent entry of a Scheduling Order;
- 3) If Minneapolis Firefighters is appointed Lead Plaintiff in this matter, no later than 30 days after the entry of the order appointing Minneapolis Firefighters, the parties shall file a joint stipulation and proposed order addressing, at a minimum: a filing deadline for a consolidated/amended complaint; a deadline for responding to the operative complaint; a case management conference; a deadline for exchanging initial disclosures; and if a motion to dismiss is filed, a briefing schedule.
- 4) Pursuant to the terms of the PSLRA, unless otherwise modified by the Court, discovery is stayed during the pendency of any motion to dismiss.
- 5) The Initial Case Management Conference scheduled for August 18, 2011 at 10:00 AM is and shall be continued until a later date, as directed by the Court.

Stipulated and agreed this 28th day of June, 2011.

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*Counsel for Plaintiff Minneapolis  
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SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2011:

  
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E. CLIFTON KNOWLES  
United States Magistrate Judge