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10 Attorneys for Defendant
11 J.A. THOMAS AND ASSOCIATES, INC.

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 UNITED STATES OF AMERICA, ex
16 rel. INTEGRA MED ANALYTICS
17 LLC,

18 Plaintiff,

19 v.

20 PROVIDENCE HEALTH SERVICES,
21 et al.,

22 Defendants.

Case No. 2:17-cv-01694-PSG-SS

**JOINT STIPULATION AND
REQUEST RE PAGE LIMITS AND
BRIEFING SCHEDULE ON
MOTION TO DISMISS**

[Proposed] Order submitted
concurrently

JOINT STIPULATION

WHEREAS, on August 10, 2018, the Plaintiff filed the Second Amended Complaint (“SAC”) in this matter (Dkt. 38);

WHEREAS, each Defendant has executed a waiver of service of the SAC, confirming that October 23, 2018 is their deadline to respond to the SAC (Dkt. 44-45);

WHEREAS, the 100-page SAC includes 142 allegations and two causes of action arising under the federal False Claims Act and Anti-Kickback Statute;

WHEREAS, pursuant to Local Rule 7-3 and sections 5(b) and 6(a) of the Court’s Civil Standing Order, Defendants will meet and confer with Plaintiff prior to filing any motion in response to the SAC, and will attempt to resolve the issues raised by the contemplated motion;

WHEREAS, if the parties are unable to resolve such issues, Defendants intend to file motions to dismiss the SAC;

WHEREAS, Defendants will make reasonable efforts to avoid any undue duplication in their respective motions, and will incorporate by reference each other’s arguments as appropriate;

WHEREAS, pursuant to section 5(c) of the Court’s Civil Standing Order, the memoranda in support of and in opposition to a motion to dismiss shall not exceed 25 pages, and replies shall not exceed 12 pages;

WHEREAS, due to the complexity of the allegations and causes of action in the SAC, and the arguments that Defendants anticipate asserting in their motions to dismiss, each Defendant believes in good faith that it cannot adequately respond to the SAC within the 25-page limit;

WHEREAS, to the extent that the Court grants Defendants additional pages for their motions to dismiss the SAC, the parties will agree to a commensurate expansion of Plaintiff’s page limit in opposition to the motions;

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1 WHEREAS, to the extent that the Court expands Plaintiff's page limit in
2 opposition to the motions, the parties will agree to a commensurate expansion of
3 each Defendant's page limit in reply to the oppositions to the motions;

4 WHEREAS, based on Defendants' filing deadline, Local Rule 6-1, and the
5 Court's current calendar, the first available hearing date for Defendants' motions
6 would be Monday, November 26, 2018;

7 WHEREAS, based on the foregoing hearing date and Local Rules 7-9 and 7-
8 10, the Plaintiff's opposition briefs would be due on November 5, 2018, and
9 Defendants' reply briefs would be due on November 12, 2018; and

10 WHEREAS, the parties agree that, due to the complexity of the issues raised
11 in the SAC and expected to be raised in the motions, a reasonable extension of time
12 is warranted for both the Plaintiff's oppositions and Defendants' replies.

13 NOW, THEREFORE, as a result of the recitals set forth above, and subject to
14 the Court's approval, the parties stipulate as follows:

15 (1) Any memorandum in support of Defendants' motions to dismiss, filed
16 on or before October 23, 2018, shall not exceed 35 pages;

17 (2) Plaintiff's oppositions to Defendants' motions to dismiss shall be filed
18 on or before December 3, 2018;

19 (3) Any memorandum in support of Plaintiff's oppositions to Defendants'
20 motions to dismiss shall not exceed 35 pages;

21 (4) Defendants' replies to Plaintiff's oppositions to Defendants' motions
22 to dismiss shall be filed on or before December 21, 2018;

23 (5) Any memorandum in support of Defendants' replies to Plaintiff's
24 oppositions shall not exceed 20 pages; and

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1 (6) The hearing on Defendants' motions to dismiss the FAC shall be set
2 for Monday, January 14, 2019, at 1:30 p.m., or thereafter on a date that is
3 convenient for the Court.

4 IT IS SO STIPULATED.

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6 Dated: October 5, 2018

MILLER BARONDESS, LLP
REID COLLINS & TSAI LLP

7
8 By: /S/ Jeremy H. Wells

9 Jason H. Tokoro
P. Jason Collins
10 Jeremy H. Wells

11 Attorneys for Plaintiff/Relator
12 INTEGRA MED ANALYTICS LLC

13 Dated: October 5, 2018

HOGAN LOVELLS US LLP

14
15 By: /S/ David W. Skaar

16 Michael M. Maddigan
David W. Skaar

17 Attorneys for Defendant
18 J.A. THOMAS AND ASSOCIATES,
19 INC.
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28

1 Dated: October 5, 2018

HOOPER, LUNDY & BOOKMAN, PC

3 By: /S/ Lloyd A. Bookman

4 Lloyd A. Bookman
5 Joseph R. LaMagna
6 Jordan Kearney

7 Attorneys for Defendants
8 PROVIDENCE HEALTH &
9 SERVICES; PROVIDENCE
10 HEALTH SYSTEM—SOUTHERN
11 CALIFORNIA; PROVIDENCE
12 HEALTH & SERVICES—
13 WASHINGTON; PROVIDENCE
14 HEALTH & SERVICES—
15 OREGON; PROVIDENCE SAINT
16 JOHN'S HEALTH CENTER;
17 PROVIDENCE HEALTH &
18 SERVICES—MONTANA;
19 SWEDISH HEALTH SERVICES;
20 and SWEDISH EDMONDS

15 **Attestation**

16 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, David W. Skaar, attest that all of
17 the foregoing signatories concur in this document's content and have authorized
18 this filing.

20 Dated: October 5, 2018

/S/ David W. Skaar