

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

GS LABS, LLC,

Plaintiff,

v.

MEDICA INSURANCE COMPANY,

Defendant.

---

Case No.: 21-cv-2400 (SRN/TNL)

**JOINT STIPULATION REGARDING  
BRIEFING SCHEDULE ON MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT AND MOTION TO  
DISMISS COMPLAINT**

**STIPULATION**

The parties, by and through their undersigned counsel of record, without waiver of any rights or defenses, hereby jointly stipulate to entry of the accompanying proposed order to enter a briefing schedule for Plaintiff GS Labs, LLC's ("GS Labs") Motion for Partial Summary Judgment (ECF No. 8) and Defendant Medica Insurance Company's ("Medica") upcoming Motion to Dismiss. The parties state as follows:

1. On October 28, 2021, GS Labs filed its Complaint. Medica executed and returned its Summons on November 3, 2021, making Medica's response to the Complaint due on November 24, 2021.

2. On November 17, 2021, the parties stipulated to a 30-day extension of time for Medica to respond to GS Labs' Complaint, which the Court granted on November 19, 2021, extending Medica's deadline to respond to the Complaint to December 24, 2021. Medica intends to file a Motion to Dismiss by this date.

3. On November 12, 2021, GS Labs filed a Motion for Partial Summary Judgment. On December 1, 2021, the parties agreed to an interim extension of Medica's

deadline to respond to the Motion for Partial Summary Judgment, from December 3, 2021 to December 10, 2021, to provide the parties with sufficient time to determine a full briefing schedule for both motions. The Court granted the extension on December 2, 2021.

4. The hearings for both GS Labs' Motion for Partial Summary Judgment and Medica's anticipated Motion to Dismiss have been scheduled for March 18, 2022.

5. Accordingly, the parties have stipulated to the following briefing schedule:

- a. Medica shall file its opposition brief to GS Labs' Motion for Partial Summary Judgment by January 14, 2022;
- b. GS Labs shall file its opposition brief to Medica's Motion to Dismiss by February 4, 2022;
- c. GS Labs shall file its reply brief in support of its Motion for Partial Summary Judgment by February 14, 2022; and
- d. Medica shall file its reply brief in support of its Motion to Dismiss by February 28, 2022.

Dated: December 8, 2021

Respectfully submitted,

WINTHROP & WEINSTINE, P.A.

/s/ Thomas H. Boyd

Thomas H. Boyd, #200517

Kyle R. Kroll, #398433

David Aafedt, #27561X

Christianna Finnern, #310724

225 South Sixth Street, Suite 3500

Minneapolis, MN 55402

Phone: (612) 604-6400  
[tboyd@winthrop.com](mailto:tboyd@winthrop.com)  
[kkroll@winthrop.com](mailto:kkroll@winthrop.com)  
[cfinnern@winthrop.com](mailto:cfinnern@winthrop.com)  
[daafedt@winthrop.com](mailto:daafedt@winthrop.com)

*Attorneys for Plaintiff GS Labs, LLC*

ROBINS KAPLAN LLP

*/s/ Jamie R. Kurtz*

---

Jamie R. Kurtz, #0391792  
Jeffrey S. Gleason, #0396190  
Charles C. Gokey, #0402225  
Stephanie A. Chen, #0400032  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402  
Phone: (612) 349-8500  
Facsimile: (612) 339-4181  
[jkurtz@robinskaplan.com](mailto:jkurtz@robinskaplan.com)  
[jgleason@robinskaplan.com](mailto:jgleason@robinskaplan.com)  
[cgokey@robinskaplan.com](mailto:cgokey@robinskaplan.com)  
[schen@robinskaplan.com](mailto:schen@robinskaplan.com)

*Attorneys for Defendant Medica  
Insurance Company*