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10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 12 SOUTHERN DIVISION

14 **JANE DOE; STEPHEN ALBRIGHT;**
 15 **AMERICAN KIDNEY FUND, INC.;**
 16 **and DIALYSIS PATIENT**
CITIZENS, INC.,

17 Plaintiffs,

18 v.

19 **ROB BONTA, in his Official**
 20 **Capacity as Attorney General of**
 21 **California; RICARDO LARA in his**
 22 **Official Capacity as California**
 23 **Insurance Commissioner; SHELLY**
 24 **ROUILLARD in her official Capacity**
 25 **as Director of the California**
Department of Managed Health
Care; and TOMAS J. ARAGON, in
 26 **her Official Capacity as Director of**
 27 **the California Department of Public**
 28 **Health,**

Defendants.

Case No. 8:19-cv-2105-DOC-(ADSx)

**JOINT STATUS REPORT
 PROPOSING STIPULATED
 REVISED CASE SCHEDULE AND
 PROPOSING TO VACATE
 SCHEDULING CONFERENCE**

Courtroom: 9D
 Judge: The Honorable David O.
 Carter

Action Filed: November 1, 2019

1 Defendants Rob Bonta, in his Official Capacity as Attorney General of
2 California; Ricardo Lara in his Official Capacity as California Insurance
3 Commissioner; Shelly Rouillard in her Official Capacity as Director of the
4 California Department of Managed Health Care; and Tomás J. Aragón, in his
5 Official Capacity as Acting Director of the California Department of Public Health
6 (“Defendants”), and Plaintiffs Jane Doe; Stephen Albright; American Kidney Fund,
7 Inc.; and Dialysis Patient Citizens, Inc. (“Plaintiffs”), by and through their attorneys
8 of record, hereby submit the following joint status report:

9 Since March 2020, upon agreement of the parties and approval by the Court,
10 this action has been stayed due to circumstances related to the COVID-19
11 pandemic. *See* ECF Nos. 72, 75, 77, 79, 81, 89, 91, 96, 98, 100, 102, 104, 109,
12 111, 115, and 117. On July 30, 2021, the parties informed the Court that they were
13 able and ready to resume litigation, and were engaged in a meet-and-confer process
14 regarding a proposed schedule for doing so. *See* ECF No. 118.

15 On August 2, 2021, this Court ordered the parties to file, on or before
16 September 10, 2021, a joint report proposing a revised schedule for the remaining
17 weeks of the discovery period, summary judgment briefing and hearing, and pretrial
18 and trial dates. ECF No. 119. All parties have met and conferred and have agreed
19 upon the following schedule, subject to this Court’s approval.
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Case Event	Date/Deadline
Supplemental expert reports due ¹	November 5, 2021
Fact deposition deadline	November 15, 2021
Fact discovery closes	November 19, 2021
Discovery motions due	November 24, 2021
Rebuttal expert reports due	December 17, 2021
Expert deposition deadline	January 24, 2022
Expert discovery closes	January 28, 2022
Summary judgment motions due	February 25, 2022
Summary judgment oppositions due	March 25, 2022
Summary judgment replies due	April 18, 2022
Summary judgment hearing	May 2, 2022
Joint exhibit list and trial briefs due	June 6, 2022
Proposed pretrial conference order due	June 16, 2022
Motions in limine due	June 16, 2022
Motions in limine oppositions due	June 20, 2022
Final pretrial conference	June 27, 2022
Findings of fact/conclusions of law due	July 5, 2022
Trial ²	July 12, 2022

¹ The parties have agreed that Defendants may file supplemental reports exclusively limited to addressing data that did not exist or events that had not occurred prior to February 2020. Any new data or events must be directly relevant to a disputed issue in the case, and Plaintiffs' agreement to supplementation in no way concedes the relevance of new data or events. The reports may not offer any new opinion not already presented in the original report but may only discuss how post-February 2020 data or events confirms or undermines the opinions presented in the original report. The reports may not exceed five pages.

² Plaintiffs' counsel are not available for trial in late July 2022 or in August 2022. Accordingly, the parties have agreed, subject to the Court's approval, that a trial shall commence on July 12, 2022, but a defense witness who is not available until July 18, 2022, may testify out of order, if necessary. Alternatively, if the Court prefers the trial to proceed in order (or is otherwise unavailable for trial on

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Given the parties' agreement to the proposed schedule above, the parties respectfully suggest that the Court vacate the scheduling conference set for September 20, 2021.

Dated: September 10, 2021

ROB BONTA
Attorney General of California
MARK R. BECKINGTON
Supervising Deputy Attorney General

/s/ R. Matthew Wise
R. MATTHEW WISE
Deputy Attorney General
Attorneys for Defendants Attorney General Rob Bonta, et al.

Dated: September 10, 2021

KING & SPALDING LLP

/s/ Joseph N. Akrotirianakis
JOSEPH N. AKROTIRIANAKIS
BOBBY R. BURCHFIELD
Attorneys for Plaintiffs Jane Doe, Stephen Albright, American Kidney Fund, Inc., and Dialysis Patient Citizens, Inc.

I, R. Matthew Wise, hereby attest that all other signatories listed above concur in this filing's content and have authorized me to make this filing.

Dated: September 10, 2021

/s/ R. Matthew Wise
R. Matthew Wise

July 12, 2022), the parties stipulated to a trial date of September 13, 2022, with a final pretrial conference on August 29, 2022.

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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

**JANE DOE; STEPHEN ALBRIGHT;
AMERICAN KIDNEY FUND, INC.;**
**and DIALYSIS PATIENT
CITIZENS, INC.,**

Plaintiffs,

v.

**ROB BONTA, in his Official
Capacity as Attorney General of
California; RICARDO LARA in his
Official Capacity as California
Insurance Commissioner; SHELLY
ROUILLARD in her official Capacity
as Director of the California
Department of Managed Health
Care; and TOMAS J. ARAGON, in
her Official Capacity as Director of
the California Department of Public
Health,**

Defendants.

Case No. 8:19-cv-2105-DOC-(ADSx)
**[PROPOSED] ORDER SETTING
REVISED CASE SCHEDULE AND
VACATING STATUS
CONFERENCE**

Based on the stipulation of the parties, the Court hereby sets the following revised case schedule:

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¹ Defendants may file supplemental reports exclusively limited to addressing data that did not exist or events that had not occurred prior to February 2020. Any new data or events must be directly relevant to a disputed issue in the case, and Plaintiffs’ agreement to supplementation in no way concedes the relevance of new data or events. The reports may not offer any new opinion not already presented in the original report but may only discuss how post-February 2020 data or events confirms or undermines the opinions presented in the original report. The reports may not exceed five pages.

² A defense witness who is not available until July 18, 2022, may testify out of order, if necessary.

1 Given the parties' agreement to the schedule above, the scheduling conference
2 set for September 20, 2021, is VACATED.

3 **IT IS SO ORDERED.**

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6 Dated: _____

The Honorable David O. Carter

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CERTIFICATE OF SERVICE

Case Name: **Jane Doe, et al v. Xavier** No. **8:19-cv-2105-DOC-(ADSx)**
Becerra, et al.

I hereby certify that on September 10, 2021, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**JOINT STATUS REPORT PROPOSING STIPULATED REVISED CASE SCHEDULE
AND PROPOSING TO VACATE SCHEDULING CONFERENCE
[PROPOSED] ORDER SETTING REVISED CASE SCHEDULE AND VACATING
STATUS CONFERENCE**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on September 10, 2021, at Sacramento, California.

Ritta Mashriqi
Declarant

/s/Ritta Mashriqi
Signature