

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

ELECTRICAL MEDICAL TRUST, *et al.*,

Plaintiffs,

v.

U.S. ANESTHESIA PARTNERS, INC., *et al.*,

Defendants.

Case No. 4:23-cv-04398

**JOINT STIPULATION WITHDRAWING DISCOVERY MOTIONS**

This joint stipulation is entered into by and among Defendants in the above-captioned action, U.S. Anesthesia Partners, Inc., U.S. Anesthesia Partners Holdings, Inc., and U.S. Anesthesia Partners of Texas, P.A. (together, “USAP”), and non-party Gallagher Bassett Services (“Gallagher”). The parties submit this joint stipulation regarding pending motions relating to a subpoena served by USAP on Gallagher (the “Subpoena”). *See* ECF Nos. 180, 181, 187, 197.

WHEREAS, on December 3, 2025, in connection with the above-captioned action, USAP served Gallagher with the Subpoena;

WHEREAS, on January 14, 2026, Gallagher moved to quash the Subpoena and a motion for a protective order, and the Motion was fully briefed, *see* ECF Nos. 180, 181, 186, 189;

WHEREAS, on February 4, 2026, USAP cross-moved to compel compliance with the Subpoena, and the Motion was fully briefed, *see* ECF Nos. 187, 198, 202;

WHEREAS, on March 3, 2026, USAP moved for oral argument on its motion, *see* ECF No. 197;

WHEREAS, the parties have met and conferred, and agree that USAP will withdraw the Subpoena without prejudice to its ability to reissue it in the future, and its related motion to compel,

and Gallagher will withdraw the related Motion to Quash without prejudice to its ability to challenge any subpoenas served by USAP in the future;

WHEREFORE, subject to the approval of the Court, the parties hereby stipulate as follows:

1. The Subpoena is withdrawn without prejudice to USAP's ability to reissue it in the future;
2. The Motion to Quash filed at ECF No. 180, 181 is withdrawn without prejudice to Gallagher's ability to challenge any subpoenas served by USAP in the future;
3. The Motion to Compel filed at ECF No. 187 is withdrawn as the underlying Subpoena is no longer at issue;
4. The Motion for Hearing filed at ECF No. 197 is mooted as the underlying motions are withdrawn.

IT IS SO STIPULATED.

Dated: June 4, 2026

/s/ Deanne C. Ayers

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**RULE 7 CERTIFICATE OF CONFERENCE**

I hereby certify that USAP shared this Stipulation with Gallagher via email on June 3, 2026. Gallagher confirmed through email that they joined in the Stipulation.

DATED: June 4, 2026

*/s/ Elizabeth Devaney*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of June, 2026, I caused to be filed the foregoing memorandum with the Court through ECF filing, which caused a copy to be sent to all counsel of record.

*/s/ Julianne Jaquith*

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