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13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

16 UNITED STATES OF AMERICA *et al.*,
17 *ex rel.* JEFFREY MAZIK,

18 Plaintiffs,

19 v.

20 KAISER PERMANENTE, INC., *et al.*,

21 Defendants.

Case No. 2:19-cv-0559-DAD-KJN

JOINT STATUS REPORT

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1 Pursuant to the Court’s Order Setting Status (Pretrial Scheduling) Conference, Dkt. No.
2 94, the Parties jointly submit the following:

3 On July 13, 2022, Defendants filed a Motion to Dismiss the First Amended Complaint
4 (“Motion to Dismiss”). Dkt. No. 78. On August 31, 2022, the Parties met and conferred about
5 the submission of a joint status report, including the Parties’ Federal Rule of Civil Procedure
6 26(f) discovery plan. Following the Parties’ conference, on September 13, 2022, the Parties
7 submitted a Preliminary Joint Rule 26(f) Report and Proposed Limited Discovery Plan
8 (“Preliminary Joint Report”). Dkt. No. 88. On September 13, 2022, when the case was still
9 pending before Judge John A. Mendez, the Court issued a Minute Order requiring the Parties to
10 file an updated Joint Status Report in accordance with Federal Rules of Civil Procedure 16 and
11 26, Local Rule 240, “and the Court’s Order Requiring Service of Process and Joint Status Report,
12 within thirty (30) days after the Court’s ruling on Defendants’ pending” Motion to Dismiss. Dkt.
13 No. 89. On October 4, 2022, the Court took Defendants’ Motion to Dismiss under submission
14 without appearance or oral argument. Dkt. No. 92. The Motion to Dismiss remains under
15 submission. On October 26, 2022, Judge Mendez recused himself, and the matter was reassigned
16 to Judge Dale A. Drozd. Dkt. Nos. 93, 94.

17 The Parties agree that, since the filing of the Preliminary Joint Report, there are no
18 updates that warrant filing a new report. Accordingly, unless the Court orders otherwise, the
19 Parties intend to file an updated Joint Status Report within 30 days of the Court’s decision on
20 Defendants’ Motion to Dismiss as directed by the Court’s September 13, 2022 Minute Order.
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Dated: February 21, 2023

Respectfully submitted,

By: /s/ Dimitri D. Portnoi
DIMITRI D. PORTNOI
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/s/ Adam Pollock (as authorized 2/19/23)
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