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18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 UNITED STATES OF AMERICA ex rel.  
 21 RONDA OSINEK,

Plaintiff,

v.

23 KAISER PERMANENTE, et al.,

24 Defendants.

Case No. 3:13-cv-03891-EMC

**STIPULATION RE: DEFENDANTS'  
 DEADLINE TO AMEND AFFIRMATIVE  
 DEFENSES TO UNITED STATES'  
 AMENDED COMPLAINT-IN-  
 INTERVENTION PURSUANT TO FED. R.  
 CIV. P. 15(a)(2)**

Courtroom: 5, 17th Floor  
 Judge: Hon. Edward M. Chen

(CAPTION CONTINUED)

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UNITED STATES OF AMERICA ex rel.  
GLORYANNE BRYANT and VICTO-  
RIA HERNANDEZ,  
  
Plaintiff,  
  
v.  
  
KAISER PERMANENTE, INC., et al,  
  
Defendants.

Case No. 3:18-cv-01347-EMC  
  
**STIPULATION RE: DEFENDANTS’  
DEADLINE TO AMEND AFFIRMATIVE  
DEFENSES TO UNITED STATES’  
AMENDED COMPLAINT-IN-  
INTERVENTION PURSUANT TO FED.  
R. CIV. P. 15(a)(2)**  
  
Courtroom: 5, 17th Floor  
Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.  
JAMES M. TAYLOR,  
  
Plaintiff,  
  
v.  
  
KAISER PERMANENTE, INC., et al.,  
  
Defendants.

Case No. 3:21-cv-03894-EMC  
  
**STIPULATION RE: DEFENDANTS’  
DEADLINE TO AMEND  
AFFIRMATIVE DEFENSES TO  
UNITED STATES’ AMENDED  
COMPLAINT-IN-INTERVENTION  
PURSUANT TO FED. R. CIV. P. 15(a)(2)**  
  
Courtroom: 5, 17th Floor  
Judge: Hon. Edward M. Chen

1 Defendants Kaiser Foundation Health Plan, Inc.; Kaiser Foundation Health Plan of  
2 Colorado; The Permanente Medical Group, Inc.; Southern California Permanente Medical Group;  
3 and Colorado Permanente Medical Group (collectively, “Defendants”) and Plaintiff United States  
4 of America (“Plaintiff”) hereby stipulate as follows:

5 1. On July 31, 2023, Defendants filed Answers, including affirmative defenses, in  
6 response to Plaintiffs’ Amended Complaint-in-Intervention. *See* Dkt. Nos. 282-86.

7 2. On August 21, 2023, Plaintiff filed a Motion to Strike Defendants’ Affirmative  
8 Defenses (“Motion to Strike”) under Federal Rule of Civil Procedure 12(f). Dkt. No. 293.

9 3. Defendants’ oppositions to the Motion to Strike are due September 5, 2023.

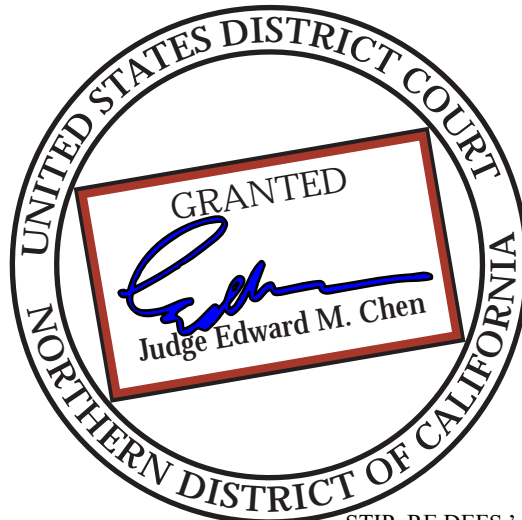
10 4. Upon consideration of the Motion to Strike, Defendants intend to amend their  
11 affirmative defenses by September 11, 2023, twenty-one days after Plaintiff filed the Motion to  
12 Strike.

13 5. Under Federal Rule of Civil Procedure 15(a)(2), a party may amend its answer  
14 with the opposing party’s written consent.

15 6. Accordingly, the Parties hereby stipulate that Defendants shall have until  
16 September 11, 2023 to amend their Answers, and that the Motion to Strike shall be mooted upon  
17 Defendants’ filing of the amended Answers. The Parties further stipulate that Defendants’  
18 amended Answers will include neither additional affirmative defenses nor the counterclaims that  
19 were the subject of the Parties’ August 15, 2023 stipulation. *See* Dkt. No. 289. This stipulation is  
20 without prejudice to Plaintiff filing another Motion to Strike affirmative defenses once  
21 Defendants have amended.

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23 IT IS SO STIPULATED.

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26 Date: September 5, 2023



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Dated: August 31, 2023

Respectfully submitted,

By: /s/ K. Lee Blalack, II  
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**ATTESTATION**

Pursuant to Local Rule 5-1(h)(3), the undersigned hereby attests that Gary R. Dyal has concurred in the filing of this document.

DATED: August 31, 2023

/s/ K. Lee Blalack, II

K. LEE BLALACK, II