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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
 California; RICARDO LARA in his
 21 Official Capacity as California
 Insurance Commissioner; SHELLY
 22 ROUILLARD in her official Capacity
 as Director of the California
 23 Department of Managed Health
 Care; and TOMAS J. ARAGON, in
 24 her Official Capacity as Director of
 the California Department of Public
 25 Health,**

26 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.