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Debtors and Debtors In Possession

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION - LOS ANGELES**

In re
VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., *et al.*

VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., a California nonprofit
public benefit corporation, ST. VINCENT
MEDICAL CENTER, a California
nonprofit public benefit corporation, ST.
VINCENT DIALYSIS CENTER, INC., a
California nonprofit public benefit
corporation, and ST. FRANCIS MEDICAL
CENTER, a California nonprofit public
benefit corporation, SETON MEDICAL
CENTER, a California nonprofit public
benefit corporation, and VERITY
HOLDINGS, LLC, a California limited
liability company,

Plaintiffs,

v.

KALI P. CHAUDHURI, M.D., an
individual, STRATEGIC GLOBAL
MANAGEMENT, INC., a California
corporation, KPC HEALTHCARE
HOLDINGS, INC. a California Corporation
KPC HEALTH PLAN HOLDINGS, INC. a
California Corporation, KPC
HEALTHCARE, INC. a Nevada
Corporation, KPC GLOBAL
MANAGEMENT, LLC, a California

Case No. 2:20-cv-00613-DSF

Hon. Dale S. Fischer

**JOINT STIPULATION TO
EXTEND NON-EXPERT
DISCOVERY CUT-OFF AND
EXPERT DISCOVERY
DEADLINES**

[Filed concurrently with [Proposed]
Order and Declaration in Support Of
Joint Stipulation]

Prior Non-Expert Discovery Cut-off:	4/5/2021
New Proposed Non-Expert Discovery Cut-off:	6/7/2021
Prior Expert Discovery Cut-off:	7/12/2021
New Proposed Expert Discovery Cut-off:	8/16/2021
Motion Hearing Cut- off:	9/13/2021
Pre-Trial Conference:	10/4/2021
Trial Date:	11/2/2021



Limited Liability Company, and DOES 1 through 500,

Defendants.

STRATEGIC GLOBAL MANAGEMENT, INC., a California corporation,

Counter-Plaintiff,

v.

VERITY HEALTH SYSTEM OF CALIFORNIA, INC., a California nonprofit public benefit corporation, ST. VINCENT MEDICAL CENTER, a California nonprofit public benefit corporation, ST. VINCENT DIALYSIS CENTER, INC., a California nonprofit public benefit corporation, and ST. FRANCIS MEDICAL CENTER, a California nonprofit public benefit corporation, SETON MEDICAL CENTER, a California nonprofit public benefit corporation, and VERITY HOLDINGS, LLC, a California limited liability company,

Counter-Defendants.

Plaintiffs Verity Health System of California, Inc., St. Vincent Medical Center, St. Vincent Dialysis Center, Inc., St. Francis Medical Center, Seton Medical Center, Verity Holdings, LLC, and the above-captioned debtors (collectively, “Plaintiffs”), and Defendants Strategic Global Management, Inc. (“SGM”), Kali P. Chaudhuri, M.D., KPC Healthcare Holdings, Inc., KPC Health Plan Holdings, Inc., KPC Healthcare, Inc., and KPC Global Management, LLC, (collectively, “Defendants”) hereby enter into this stipulation (the “Stipulation”) based on the following recitals of fact:

RECITALS

1. Plaintiffs and Defendants (the “Parties”) met and conferred on July 20, 2020 to discuss the matters set forth in Rule 26(f), Local Rule 26-1, and this Court’s Standing Order.

2. The Parties also filed the Joint Rule 26(f) Report on July 20, 2020. [ECF No. 45]

3. This Court issued the Order Re Jury Trial [ECF No. 56] on July 22, 2020 with the following discovery deadlines:

Event	Date
Motion to Amend Pleadings or Add Parties Cut-off	11/2/2020
Discovery Cut-off	4/5/2021
Initial Expert Witness Exchange	5/3/2021
Rebuttal Expert Witness Exchange	5/17/2021
Expert Discovery Cut-off	7/12/2021
Motion Hearing Cut-off	9/13/2021
ADR Cut-off	8/9/2021
Trial Documents (Set One)	9/13/2021
Trial Documents (Set Two)	9/20/2021
Final Pre-Trial Conference	10/4/2021
Trial Date	11/2/2021

4. On August 3, 2020, the Parties exchanged initial disclosures.

5. The Parties have been diligently pursuing discovery, having propounded and responded to 22-sets of written discovery requests, including:

- i. In total between the Plaintiffs, they have provided written responses (and/or objections) to 99 interrogatories, 211 requests for admission, and 511 requests for production propounded by Defendant/Counter-Plaintiff Strategic Global Management, Inc.; and
- ii. In total, Defendants have provided written responses (and/or objections) to 270 separate requests for production of documents propounded by Plaintiffs.

6. Defendants have also served document subpoenas on the Department of Health Care Services and the office of the California Attorney General, which Defendants contend are key third parties in this action.

7. Although the Parties intend to continue their discovery efforts, they have decided to mediate the dispute to determine if this dispute can be resolved before the Parties spend a substantial amount more in discovery. The Parties have now selected a mediator, Hon. Randall J. Newsome, and will be mediating this dispute in December 2020.

8. So the parties can dedicate more of their resources to prepare for a

1 productive mediation in December, the Parties have agreed to extend the non-expert
2 discovery cut-off by sixty-three (63) days, the initial and rebuttal expert witness
3 exchange deadlines by forty-two (42) days, and the expert witness discovery cut-off
4 by thirty-five (35) days.

5 9. No prior requests for an extension of any discovery deadlines have been
6 requested by the Parties.

7 **STIPULATION**

8 **NOW THEREFORE**, subject to the approval of the Court, Plaintiffs and
9 Defendants hereby agree and stipulate as follows:

10 1. The non-expert discovery cut-off date shall be extended by sixty-three
11 (63) days from April 5, 2021 to June 7, 2021.

12 2. The initial and rebuttal expert witness exchange deadlines shall be
13 extended by forty-two (42) days and the expert discovery cut-off shall be extended
14 by thirty-five (35) days. The initial expert witness exchange shall be extended from
15 May 3, 2021 to June 14, 2021, the rebuttal expert witness exchange from May 17,
16 2021 to June 28, 2021, and the expert discovery cut-off from July 12, 2021 to
17 August 16, 2021.

18 3. In summary, the dates are:

19 Event	Prior Date	New Date
Non-Expert Discovery Cut-off	4/5/2021	6/7/2021 (63 days)
20 Initial Expert Witness Exchange	5/3/2021	6/14/2021 (42 days)
21 Rebuttal Expert Witness Exchange	5/17/2021	6/28/2021 (42 days)
22 Expert Discovery Cut-off	7/12/2021	8/16/2021 (35 days)

23 4. No other deadlines shall be affected by this Stipulation.

24 **IT IS SO STIPULATED.**

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28

1 Dated: October 21, 2020

DENTONS US LLP
SAMUEL R. MAIZEL
SONIA R. MARTIN
TANIA M. MOYRON
NICHOLAS A. KOFFROTH

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5
6 By: /s/ Sonia R. Martin
Sonia R. Martin

7 Attorneys for Plaintiffs Verity Health
8 Systems of California, Inc., *et al.*

9 Dated: October 21, 2020

10 **LEVENE, NEALE, BENDER, YOO**
& BRILL LLP
GARY E. KLAUSNER
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12 BARNES & THORNBURG LLP
13 KEVIN D. RISING
14 RACHEL LERMAN
15 JOEL R. MEYER

16 By: /s/Joel R. Meyer
Joel R. Meyer

17 Attorneys for Defendants, Strategic
18 Global Management, Inc., *et al.*

19
20 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Sonia R. Martin, attest that all
21 other signatories listed, and on whose behalf this filing is submitted, concur in the
22 filing's content and have authorized the filing.

23 /s/Sonia R. Martin
24 Sonia R. Martin

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8 Counsel to Plaintiffs and Chapter 11
 Debtors and Debtors In Possession
 9

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
 12 **WESTERN DIVISION - LOS ANGELES**

13 In re
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 CALIFORNIA, INC., *et al.*

15 VERITY HEALTH SYSTEM OF
 CALIFORNIA, INC., a California nonprofit
 16 public benefit corporation, ST. VINCENT
 MEDICAL CENTER, a California
 17 nonprofit public benefit corporation, ST.
 VINCENT DIALYSIS CENTER, INC., a
 18 California nonprofit public benefit
 corporation, and ST. FRANCIS MEDICAL
 19 CENTER, a California nonprofit public
 benefit corporation, SETON MEDICAL
 20 CENTER, a California nonprofit public
 benefit corporation, and VERITY
 21 HOLDINGS, LLC, a California limited
 liability company,

22 Plaintiffs,

23 v.

24 KALI P. CHAUDHURI, M.D., an
 individual, STRATEGIC GLOBAL
 25 MANAGEMENT, INC., a California
 corporation, KPC HEALTHCARE
 26 HOLDINGS, INC. a California Corporation
 KPC HEALTH PLAN HOLDINGS, INC. a
 27 California Corporation, KPC
 HEALTHCARE, INC. a Nevada
 28 Corporation, KPC GLOBAL
 MANAGEMENT, LLC, a California

Case No. 2:20-cv-00613-DSF

Hon. Dale S. Fischer

**DECLARATION OF SONIA R.
 MARTIN IN SUPPORT OF
 JOINT STIPULATION TO
 EXTEND NON-EXPERT
 DISCOVERY CUT-OFF AND
 EXPERT DISCOVERY
 DEADLINES**

[Filed concurrently with [Proposed]
Order and Joint Stipulation]

Prior Non-Expert Discovery Cut-off:	4/5/2021
New Proposed Non-Expert Discovery Cut-off:	6/7/2021
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Limited Liability Company, and DOES 1 through 500,

Defendants.

STRATEGIC GLOBAL MANAGEMENT, INC., a California corporation,

Counter-Plaintiff,

v.

VERITY HEALTH SYSTEM OF CALIFORNIA, INC., a California nonprofit public benefit corporation, ST. VINCENT MEDICAL CENTER, a California nonprofit public benefit corporation, ST. VINCENT DIALYSIS CENTER, INC., a California nonprofit public benefit corporation, and ST. FRANCIS MEDICAL CENTER, a California nonprofit public benefit corporation, SETON MEDICAL CENTER, a California nonprofit public benefit corporation, and VERITY HOLDINGS, LLC, a California limited liability company,

Counter-Defendants.

DECLARATION OF SONIA R. MARTIN

I, Sonia R. Martin, declare as follows:

1. I am a partner in the law firm of Dentons US LLP and am licensed to practice law in all the state and federal courts in the State of California. I am one of the attorneys of record for Plaintiffs Verity Health System of California, Inc., St. Vincent Medical Center, St. Vincent Dialysis Center, Inc., St. Francis Medical Center, Seton Medical Center, Verity Holdings, LLC, and the above-captioned debtors (collectively, "Plaintiffs"). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would competently testify thereto. I submit this declaration in support of the Joint Stipulation to Extend Non-Expert Discovery Cut-off and Expert Discovery Deadlines.

2. The Parties have been diligently pursuing discovery, having propounded and responded to 22-sets of written discovery requests, including:

- i. In total between the Plaintiffs, they have provided written responses (and/or objections) to 99 interrogatories, 211 requests for admission, and 511 requests for production propounded by Defendant/Counter-Plaintiff Strategic Global Management, Inc.; and
- ii. In total, Defendants have provided written responses (and/or objections) to 270 separate requests for production of documents propounded by Plaintiffs.

3. Although the Parties intend to continue their discovery efforts, they have decided to mediate the dispute to determine if the dispute can be resolved before the Parties spend a substantial amount more in discovery. The Parties have selected a mediator, Hon. Randall J. Newsome, and will be mediating in December 2020.

4. The Parties now agree to extend the non-expert discovery cut-off by sixty-three (63) days, the initial and rebuttal expert witness exchange deadlines by forty-two (42) days, and the expert discovery cut-off by thirty-five (35) days.

5. No prior requests for an extension of any discovery deadlines have been requested by the Parties.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on October 21, 2020, in San Francisco, California.

/s/Sonia R. Martin
Sonia R. Martin

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION - LOS ANGELES

In re
VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., *et al.*

Case No. 2:20-cv-00613-DSF

Hon. Dale S. Fischer

VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., a California nonprofit
public benefit corporation, ST. VINCENT
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corporation, and ST. FRANCIS MEDICAL
CENTER, a California nonprofit public
benefit corporation, SETON MEDICAL
CENTER, a California nonprofit public
benefit corporation, and VERITY
HOLDINGS, LLC, a California limited
liability company,

**[PROPOSED] ORDER
GRANTING JOINT
STIPULATION TO EXTEND
NON-EXPERT DISCOVERY
CUT-OFF AND EXPERT
DISCOVERY DEADLINES**

Plaintiffs,

v.

KALI P. CHAUDHURI, M.D., an
individual, STRATEGIC GLOBAL
MANAGEMENT, INC., a California
corporation, KPC HEALTHCARE
HOLDINGS, INC. a California Corporation
KPC HEALTH PLAN HOLDINGS, INC. a
California Corporation, KPC
HEALTHCARE, INC. a Nevada
Corporation, KPC GLOBAL
MANAGEMENT, LLC, a California
Limited Liability Company, and DOES 1
through 500,

Defendants.

STRATEGIC GLOBAL MANAGEMENT,
INC., a California corporation,

Counter-Plaintiff,

v.

VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., a California nonprofit
public benefit corporation, ST. VINCENT
MEDICAL CENTER, a California
nonprofit public benefit corporation, ST.

VINCENT DIALYSIS CENTER, INC., a California nonprofit public benefit corporation, and ST. FRANCIS MEDICAL CENTER, a California nonprofit public benefit corporation, SETON MEDICAL CENTER, a California nonprofit public benefit corporation, and VERITY HOLDINGS, LLC, a California limited liability company,
Counter-Defendants.

The Court, having considered the Joint Stipulation to Extend Non-Expert Discovery Cut-off and Expert Discovery Deadlines, and good cause having been shown, **GRANTS** the Joint Stipulation and

HEREBY ORDERS AS FOLLOWS:

1. The non-expert discovery cut-off date shall be extended by sixty-three (63) days from April 5, 2021 to June 7, 2021.

2. The initial and rebuttal expert witness exchange deadlines shall be extended by forty-two (42) days and the expert discovery cut-off shall be extended by thirty-five (35) days. The initial expert witness exchange shall be extended from May 3, 2021 to June 14, 2021, the rebuttal expert witness exchange from May 17, 2021 to June 28, 2021, and the expert discovery cut-off from July 12, 2021 to August 16, 2021.

3. The new dates shall be:

Event	Prior Date	New Date
Non-Expert Discovery Cut-off	4/5/2021	6/7/2021 (63 days)
Initial Expert Witness Exchange	5/3/2021	6/14/2021 (42 days)
Rebuttal Expert Witness Exchange	5/17/2021	6/28/2021 (42 days)
Expert Discovery Cut-off	7/12/2021	8/16/2021 (35 days)

4. No other deadlines are affected by the Joint Stipulation.

IT IS SO ORDERED.

Dated: October __, 2020

Honorable Dale S. Fischer
UNITED STATES DISTRICT JUDGE