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UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 325 West F Street, San Diego, California 92101-6991

In Re
 BORREGO COMMUNITY HEALTH FOUNDATION,
 Debtor and Debtor in Possession. Debtor.

BANKRUPTCY NO. 22-02384-11

BORREGO COMMUNITY HEALTH FOUNDATION, a
 California nonprofit public benefit corporation Plaintiff(s)

ADVERSARY NO. 22-90056

v.
 CALIFORNIA DEPARTMENT OF HEALTH CARE
 SERVICES, by and through its Director, Michelle Baass Defendant(s)

Date & Time of Pre-Trial Status Conference:
 December 7, 2022 at 2:00 p.m.
 Name of Judge: Honorable Laura S. Taylor

CERTIFICATE OF COMPLIANCE WITH EARLY CONFERENCE OF COUNSEL
[LOCAL BANKRUPTCY RULE 7016-1]

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

The parties submit the following **Certificate of Compliance with Early Conference of Counsel** in accordance with LBR 7016-1(c):

A. SERVICE OF PLEADINGS

- 1. Have all parties been served? Yes No
- 2. Have all parties filed and served answers to the complaint, counterclaims, etc.? Yes No

B. SETTLEMENT AND MEDIATION

- 1. What is the status of settlement efforts?
 Although no settlement offers have been exchanged, the parties have agreed to mediation. [Dkt. Nos. 73 and 74]. See question B.2.
- 2. Has this dispute been formally mediated? If so, when?
 The parties have agreed to formal mediation before Judge Dennis Montali, which is currently being scheduled.
- 3. Has mediation been discussed with your client? (See LBR 7016-3.)

Plaintiff	Defendant
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
- 4. The parties desire to go to voluntary, non-binding mediation. (See Administrative Procedures, Section 5) They have reviewed the list of mediators on the court's website (www.casb.uscourts.gov) or obtained the list from the court and have selected the following persons subject to availability as first, second, and third choices for mediator:
 First Choice: The Honorable Dennis Montali
 Second Choice:
 Third Choice:

Parties are requested to notify the courtroom deputy of their preferences at the time a pretrial status conference date is obtained.



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C. DISCOVERY

1. Discovery should be propounded in time to be completed by 2/1/2023 or 4/1/2023 .
2. The parties held their early conference of counsel on 11/8/2022 .
(LBR 7016-1(a)(3) requires the early conference of counsel within 30 days after all defendants have appeared or, in cases having multiple defendants, within 45 days after the first defendant appears.)
3. Initial disclosures (FRBP 7026(a)(1)) should be served by 12/15/2022 .
4. Maximum of 35 interrogatories by each party to any other party.
5. Maximum of 20 requests for admission by each party to any other party.
6. Maximum of 1 depositions by plaintiff(s) and 1 by defendant(s).
7. Each deposition [other than of expert witnesses] should be limited to a maximum of 10 hours unless extended by agreement of the parties.
8. Expert disclosures (FRBP 7026(a)(2)) should be served by 50 days before trial .
9. Rebuttal expert disclosures (FRBP 7026(a)(2)) should be served by 30 days before trial .
10. Expert reports (FRBP 7026(a)(2)(B)) should be served by 50 days before trial .
11. Rebuttal expert reports (FRBP 7026(a)(2)(B)) should be served by 30 days before trial .
12. Any supplemental disclosures and discovery responses (FRBP 7026(e)) should be served by 30 days before trial .

D. MOTION PRACTICE

1. Motions to join additional parties or to amend the pleadings should be filed by 60 days before trial .
2. All other motions, except motions in limine, should be filed by 60 days before trial .

E. TRIAL PREPARATION

1. When will you be ready for trial in this case? 5/1/2023 or 08/2023 .
2. What is your estimate of the time required to present both sides of the case at trial (including rebuttal phase, if applicable)? 3-5 court days
3. How many witnesses do you intend to call at trial (including opposing parties)? 6-8

F. CONSENT TO BANKRUPTCY COURT JUDGMENT

The following parties consent to entry of final orders or judgment by the Bankruptcy Court:
All parties consent to entry of final orders or judgment by the Bankruptcy Court.

G. PRETRIAL STATUS CONFERENCE

A further pretrial status conference in this case should be held on December 7, 2022 at 2:00 p. m.
At that time, the Court may set deadlines for pretrial disclosures and objections (FRBP 7026(a)(3)) and schedule the final pretrial conference (FRBP 7016(e)).

H. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary.)

For question C.6., the maximum number of depositions for each party will include 1 person most knowledgeable deposition, which could include the testimony of multiple individuals to cover all of the topics in the deposition notice.


Dated: November 18, 2022

Dated: 11/18/22

DENTONS US LLP
Firm Name

OFFICE OF THE ATTORNEY GENERAL
Firm Name

By: 
Name: Tania Moyron

By: 
Name: Grant Lien

Attorney for: Borrego Community Health Foundation

Attorney for: California Department of Health Care Ser

LBR 7016-1(c) requires this form to be filed no later than 7 days after early conference of counsel.