

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brittany R. Tovar and,
Reid Olson,

Court File No. 16-cv-00100 (DWF/LIB)

Plaintiffs,

v.

**JOINT STIPULATION TO SET
BRIEFING SCHEDULE**

Essentia Health, Innovis Health, LLC,
dba Essentia Health West,
HealthPartners, Inc., and
HealthPartners Administrators, Inc.,

Defendants.

1. On December 15, 2017, plaintiffs filed their First Amended Complaint and Summonses were issued by the Court on December 18, 2017. In accordance with Fed. R. Civ. P. 15(a)(3), HealthPartners, Inc. and HealthPartners Administrators, Inc.'s responses to the First Amended Complaint are due on December 29, 2017. Essentia Health and Innovis Health, LLC recently received Summonses and plaintiffs' First Amended Complaint, and their responses are due no sooner than January 9, 2018 in accordance with Fed. R. Civ. P. 12(a).

2. Defendants intend to file motions to dismiss the First Amended Complaint under Rule 12(b) or, in the alternative, to stay the First Amended Complaint. The parties have scheduled the hearing on these motions for March 23, 2018 at 11:00 a.m. before Judge Frank in St. Paul, Minnesota.

3. In light of the upcoming holidays and other commitments of counsel, the parties respectfully request that the Court allow defendants to file their motions and opening papers in support of their motions after they would ordinarily be due under Local Rule 7.1 and Fed. R. Civ. P. 12.

4. The parties have met and conferred about a briefing schedule that will allow dispositive motions to be fully briefed while still allowing Judge Frank adequate time to consider the motions. Toward that end, the parties respectfully request that the Court enter the following briefing schedule for the dispositive motions:

- Motions, Notice of Hearing, Opening Memoranda and supporting papers due January 16, 2018. This is 66 days before the hearing.
- Opposition Memoranda and supporting papers due February 6, 2018, which is 45 days before the hearing.
- Reply Memoranda and supporting papers, if any, due February 20, 2018, which is 31 days before the hearing.
- Motions will be heard by Judge Frank on March 23, 2018 at 11:00 a.m.

5. The above schedule has been discussed with Judge Frank's Courtroom Deputy.

6. For the reasons stated above, the parties respectfully request that the Court order the above briefing schedule in this matter. A proposed order is submitted contemporaneously herewith.

STIPULATED TO:

Date: December 21, 2017

GENDER JUSTICE

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