

# **EXHIBIT 4**

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11 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES

13 JANE DOE 5, an individual; JANE DOE 6, an  
individual; JANE DOE 7, an individual; JANE  
14 DOE 8, an individual; JANE DOE 9, an  
individual; JANE DOE 10,

15 Plaintiffs,

16 v.

17 DR. GEORGE TYNDALL, an individual;  
18 UNIVERSITY OF SOUTHERN CALIFORNIA,  
a California Corporation; and DOES 1 through  
19 500.

20 Defendants.

CASE NO.: BC705677 (Lead)

(Assigned to Hon. Carolyn B. Kuhl; Dept.  
"SSC-12")

Related to LASC Case Nos. BC706844;  
BC706849; BC706902; BC707321;  
BC707655; BC707879; BC707880;  
BC707898; BC708525; BC708540;  
BC709671; BC709675; BC709765;  
BC709799; BC709897; BC709964;  
BC710178; BC710179; BC710279;  
BC710402; BC711667; BC711675;  
BC713383; BC713398; BC713449;  
BC714294; BC715073; BC715168;  
BC716639; BC711674; BC714157;  
BC707209; BC707887; BC711979;  
BC713379; BC713757; BC714641;  
BC714641; BC714641; BC714892;  
BC714893; BC714894; BC715160;  
BC715218; BC716625; BC717310;  
BC714891; BC722439; BC714642;  
BC711202; BC719408; BC722780;  
BC715163; BC719105; BC719858;  
BC714643; BC720789; BC721320;  
BC720105; 18STCV01202;  
18STCV02975; 18STCV01344; 18STCV01090  
18STCV03156; 18STCV01904; 18STCV00947  
18STCV01119; 18STCV01506; 18STCV04926;  
18STCV05165; 18STCV07174; 18STCV07414;

AND RELATED CASES.

18STCV08116;18STCV06350;18STCV06909;  
19STCV01040; 19STCV00688;19STCV01251

**JOINT STATUS CONFERENCE  
REPORT FOR APRIL 29, 2019  
FURTHER STATUS CONFERENCE**

Further Status Conference

Date: April 29, 2019

Time: 9:00 a.m.

Dept.: SSC-12

Actions Filed: Various Dates

Trial Date: None

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1 Plaintiffs' Liaison Counsel ("PLC") and Defendants provide the Court with the following Joint  
2 Status Conference Report in advance of the Further Status Conference in the above-referenced lead  
3 case and all related cases.

4 **I. RELATED CASES**

5 Additional cases have been filed since the last status conference, which have yet to be related  
6 to the lead action. Defense counsel have compiled a list of applicable cases and have provided the list  
7 to PLC. Attached as **Exhibit "A"** is a spreadsheet, which indicates the new cases counsel agree are  
8 not currently related that should be related.

9 **II. PROTECTIVE ORDER**

10 On March 20, 2019, the Court issued an Order approving the Parties' Stipulation and Protective  
11 Order to allow for the production of Confidential Materials under the terms set forth therein. Since  
12 then, Defendant USC has produced documents designated as Confidential pursuant to the early  
13 exchange of discovery plan, as ordered by this Court at the March 14, 2019 Further Status  
14 Conference. The parties, however, have identified and discussed certain changes that they believe  
15 should be made to the Protective Order, which relate to access by Defendants' insurers' reinsurers,  
16 accountants, regulators, auditors, consultants, and advisors, subject to the modified terms therein, as  
17 well as the manner in which counsel for Plaintiffs will acknowledge their agreement to be bound by  
18 the terms of this Stipulation and Protective Order in existing and future cases assigned to this  
19 Court. The parties are finalizing the language for the Stipulation and Amended Protective Order and  
20 will submit to the Court for approval once signed by all Counsel. In the meantime, the parties continue  
21 to operate under the terms of the existing Stipulation and Protective Order entered by the Court.

22 **III. MASTER COMPLAINT & ADOPTION FORMS**

23 On March 14, 2019, the Court indicated the date for filing the Master Complaint and Adoption  
24 Forms shall be set at the next status conference. Defense counsel met and conferred with PLC as to  
25 the Adoption Form on March 12, 2019 and April 17, 2019. Attached as **Exhibit "B"** is the redline  
26 draft of the Adoption Form provided to PLC on March 12, 2019. PLC has incorporated Defense  
27 counsel's redlined edits into the final draft of the Adoption Form, which will be filed with the Court  
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1 prior to the upcoming Further Status Conference. Defendants also respectfully request the Court set  
2 deadlines for filing of the Master Complaint within 5 days of the Joint Status Conference on April 29,  
3 2019. Defendants also respectfully request the Court order responses to Adoption Forms be submitted  
4 and filed within 30 days of April 29, 2019.

5 Plaintiffs propose a 60-day period for Plaintiffs to submit their Notice of Adoption forms, as  
6 the forms require review and adoption not only of causes of action but each paragraph to the lengthy  
7 master complaint, and may require sufficient time for drafting of additional causes of action not set  
8 forth in the master complaint.

9 **IV. DISCOVERY**

10 **A. DISCOVERY STAY:** For case management purposes, the Court has placed a stay on  
11 traditional discovery in these cases. As such, the parties have not been able to conduct  
12 discovery that is not authorized by this Court.

13 1. **Plaintiffs' Position:** The PLC, on behalf of all plaintiffs, respectfully requests  
14 that the Court partially lift the stay of discovery to allow Plaintiffs to conduct traditional  
15 discovery against Defendants, including written discovery and depositions, while  
16 Defendants have received and will continue to receive a significant amount of  
17 information regarding Plaintiffs by way of responses to Plaintiff Fact Sheets. The  
18 parties are nearing one year since the initial civil complaint was filed against  
19 Defendants. Early discovery is now well underway and a protective order has been  
20 negotiated and entered to allay concerns over disclosure of confidential information.  
21 Plaintiffs appreciate the receipt of certain documents from USC but will need to  
22 conduct follow up discovery. Indeed, USC has previously asserted that it does not have  
23 patient-related docs that date past 10 years due to a retention policy, which will require  
24 certain additional discovery. Additionally, as addressed further below, Dr. Tyndall's  
25 counsel does not presently agree to provide what Plaintiffs contend is basic information  
26 regarding complaints and witnesses and similar information by way of a stipulated  
27 defendant fact sheet, and thus Plaintiffs will not receive such information from him

1 unless the Court orders it or opens up discovery as to Dr. Tyndall (or be able to test Dr.  
2 Tyndall's assertion of a privilege against self-incrimination in response thereto).  
3 Additionally, Plaintiffs seek to conduct certain depositions, including the deposition of  
4 USC's former provost, Ainsley Carry, who recently took a position in Canada.  
5 Plaintiffs sought leave to do so recently but were denied leave. Other witnesses should  
6 be deposed soon as some appear to be of an advanced age and Plaintiffs may be  
7 precluded from obtaining their testimony unless depositions are scheduled soon.

8 **2. Defendants' Position:** USC and Counsel for Dr. Tyndall do not agree with  
9 PLC's position and do not agree to lifting the stay at this time. The Court has set a  
10 schedule for the agreed upon early exchange of discovery so that these cases can  
11 proceed in an efficient manner. At this time, USC has nearly completed its agreed upon  
12 exchange of early discovery, however, there is still no Master Complaint on file,  
13 Plaintiffs have not provided any Adoption Forms, and Defendants have only received  
14 two Plaintiff Fact Sheets. USC contends that the parties should discuss a mutual  
15 schedule of phased depositions that would commence on a Court-ordered schedule after  
16 the parties' exchange of initial discovery, including the production of all Plaintiff Fact  
17 Sheets and Adoption Forms and the filing of the Master Complaint, have been  
18 completed. Additionally, Defendants assert that this Court has indicated during prior  
19 status conferences that early discovery motions should be resolved before the stay is  
20 lifted and formal discovery commences, and further, the Court has also indicated that  
21 the parties should engage in meaningful discussions regarding the selection of  
22 'Bellwether cases,' and any discovery that may be related to moving forward on just  
23 three or four types or examples of cases.

24 **B. TRUE NAMES OF PLAINTIFFS PROCEEDING UNDER PROTECTIVE**  
25 **PSEUDONYMS:**

26 On March 14, 2019, the Court requested PLC to submit two documents addressing the  
27 identities of Plaintiffs by March 20, 2019. The first document, to be lodged or filed under seal, would

1 include the case number, designation in the complaint for each plaintiff, unique number for each  
2 plaintiff, and each plaintiff's true name. The second document would replicate the first, with the  
3 exception of true names being redacted and not filed under seal. Additionally, per the Court's  
4 instructions at the March 14, 2019 status conference, the Court requested PLC to submit a brief  
5 proposed Order regarding revealing the names as suggested at the December 6, 2018 status conference.  
6 (See, Bates-stamped page 0016, lines 13-20, Reporter's Transcript of Proceedings, dated Thursday,  
7 March 14, 2019, attached as **Exhibit "C"**).

8 USC met and conferred with PLC regarding the identities of individual plaintiffs on March 22,  
9 2019. On April 17, 2019, PLC presented to Defense Counsel, via email, an updated list of Doe  
10 Identities. Defendants' are still missing the true identities of approximately 65<sup>1</sup> plaintiffs. On April 22,  
11 2019, PLC filed an application to lodge the matrix identifying each Jane Doe ("Identifier Matrix")  
12 with the Court under seal.

13 **C. AUTHORIZATIONS AND RECORDS:**

14 In connection with PLC providing true names to Defendants, USC has continued the process  
15 of collecting student and patient records it possesses. USC has also provided patient records to Counsel  
16 for Dr. Tyndall for over 150 plaintiffs, and continues to do so on a rolling basis.

17 On March 14, 2019, the Court ordered the following: As to all cases that have been filed more  
18 than 30 days ago Plaintiffs' Counsel shall provide to USC, Authorizations for Release of USC Student  
19 Academic and Medical Records within 30 days of March 14, 2019. (See, March 14, 2019 Minute  
20 Order, attached as **Exhibit "D"**). As to all cases that have been filed less than 30 days ago and cases  
21 to be filed in the future, Plaintiffs' Counsel shall provide to USC Authorization for Release of USC  
22 Student Academic and Medical Records within 30 days of the filing of the complaint.

23 The Court further ordered USC provide Student Academic and Medical records to Plaintiffs  
24 within 60 days for already furnished authorizations and within 30 days from receipt of future  
25 authorizations. USC and its counsel have been diligently providing Student Academic and Medical  
26

27 \_\_\_\_\_  
28 <sup>1</sup> Two complaints were filed this week, totaling 35 additional plaintiffs.

1 records upon receiving properly and fully executed Authorizations for Release.<sup>2</sup> To date: (1) USC has  
2 received 680 Medical Authorizations<sup>3</sup>; (2) 415 sets of Medical Records (or letters of no records) have  
3 been produced by USC; and (3) 139 Medical Authorizations are currently in process pursuant to fully  
4 executed Authorizations. Regarding Student Academic records, to date: (1) USC has received 651  
5 Academic Authorizations; (2) 120 of which Academic Authorizations are currently in process  
6 pursuant to fully executed Authorizations;<sup>4</sup> and (3) 491 sets of Student Records have been produced  
7 by USC.

8 **D. PLAINTIFFS' FACT SHEETS**

9 The Proposed Case Management Order re: Plaintiff Fact Sheet was filed and served on March  
10 20, 2019.

11 **1. Responses to Plaintiffs' Fact Sheets**

12 On March 14, 2019, the Court ordered Plaintiffs, where USC has already provided Student  
13 Academic and Medical records, to provide responses to Fact Sheets within 60 days of March 20, 2019.  
14 As USC produces additional Student Academic and Medical records, Plaintiff Fact Sheets are due 30  
15 days after production of each Plaintiff's Student Academic and Medical records. USC records that 326  
16 disclosed plaintiffs have been sent both sets of their Student Academic and Medical records (or letters  
17 of no records).

18 Certain Plaintiffs have raised a strong concern regarding certain requests in the Plaintiff Fact  
19 Sheet, requiring them to disclose the names and contact information of their employers among other  
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21 <sup>2</sup> If an authorization is not properly and fully executed, USC will return the authorization and meet  
22 and confer to inform Plaintiffs' counsel of the necessary revisions as soon as possible. Given the  
23 shortened timeframe by which to produce medical records, USC has requested government issued  
24 identification cards in order to expedite the authentication process by the custodian of medical records.  
25 In addition, USC has requested that the sensitive information boxes and initials on the authorization  
26 form be appropriately filled out in order to prevent the custodian from being compelled to redact and/or  
27 omit records, which would thereby delay the production of medical records. 126 Medical  
28 authorizations require additional information, including signatures, identification cards, and/or  
necessary boxes checked on the forms.

<sup>3</sup> Not all of these individuals are identified or disclosed plaintiffs; however, they are represented by  
Counsel involved in this litigation.

<sup>4</sup> 40 Student Academic authorizations require either a signature and/or Student ID number or Social  
Security number in order to process.



1 third parties. Many of these plaintiffs are not intending to raise loss of earnings or earning capacity  
2 (“LOE”) as a claim in their case. Nevertheless, they are being required to provide significant details  
3 regarding their past and current employment. Certain plaintiffs are concerned about Defendants or  
4 their agents’ attempts to contact employers for statements or information, and thereby disclose  
5 information to current or former employers regarding the Plaintiffs’ lawsuit and private experiences.  
6 While the Court has made clear that no third party discovery will be conducted without the Court’s  
7 permission, that leaves open the possibility that third parties may be contacted at this time. Plaintiffs  
8 seek a further instruction to Defendants: that Defendants do not attempt to contact any third parties  
9 identified in response to the Plaintiff Fact Sheet without advance consent to the contact or upon Court  
10 order.

11 To date, two Plaintiff Fact Sheets were provided on April 19, 2019. Defendants have and will  
12 continue to comply with this Court’s Orders. Defendants have not, and do not intend to contact  
13 Plaintiffs’ employers until the discovery stay is lifted.

14 **E. DEFENDANT’S FACT SHEET**

15 Counsel for Dr. Tyndall, the PLC and Discovery Working Group Co-Chairs have met and  
16 conferred over Plaintiffs’ proposal that Dr. Tyndall complete a Defendant Fact Sheet (“DFS”)   
17 submitted to Dr. Tyndall’s counsel on March 15, 2019. Counsel provided a redline on April 2, 2019  
18 along with a letter addressing issues with the requests. While several issues were raised, a major issue  
19 is Dr. Tyndall’s position that he will not stipulate to discovery that may be self-incriminating. On April  
20 4, 2019, PLC and Discovery Co-Chairs provided a letter addressing their positions in response to  
21 stated issues, including an offer to allow Dr. Tyndall to assert the privilege against self-incrimination,  
22 as appropriate, in response to requests in the proposed fact sheet, subject to Plaintiffs’ ability to  
23 challenge the application of the privilege. **See Exhibits "E" \_\_ and \_"F."** Thereafter, Counsel held a  
24 conference call on April 8, 2019. Based on these efforts, counsel appear to have reached consensus on  
25 some proposed questions for the DFS, but have not resolved several issues, including the primary issue  
26 of Dr. Tyndall’s assertion of privilege against self-incrimination, on which the court’s assistance  
27 would be appreciated.

1 Plaintiffs contend that, if Dr. Tyndall will not provide certain basic information in response to  
2 a proposed DFS (or assert the privilege against self-incrimination in response to proposed questions  
3 therein about witnesses and complaints), the discovery stay should be lifted to allow Plaintiffs to  
4 conduct traditional discovery of Dr. Tyndall.

5 Dr. Tyndall does not agree to include questions on the stipulated DFS that are objectionable  
6 based on privacy or Fifth Amendment privilege grounds. Based on the court's CaseAnywhere posting  
7 on the Plaintiff Fact Sheet (PFS) issues, Dr. Tyndall's counsel believes that questions that are  
8 objectionable should not be asked in an early discovery DFS but should be reserved for formal  
9 discovery.

10 **F. USC DOCUMENT PRODUCTION**

11 USC has complied with this Court's order and provided initial documents as part of early  
12 discovery. USC is determining whether there are any additional personnel records that should be  
13 produced.

14 **1. Tyndall's Personnel File Documents, USC Insurance Policies, and Policies**  
15 **and Procedures**

16 On April 5, 2019, USC produced documents to PLC and Counsel for Dr. Tyndall via Dropbox  
17 link, including: Dr. Tyndall's personnel file documents, USC insurance policies, and policies and  
18 procedures related to USC's response to complaints. These documents were verified by USC.  
19 Subsequently, USC produced additional verified personnel documents related to Tyndall, on April 15,  
20 2019.

21 **2. Documents Related to Complaints and Investigations**

22 On April 19, 2019, USC produced the following verified documents to PLC and Counsel for  
23 Dr. Tyndall via Dropbox link: "Documents reflecting complaints and investigations of those  
24 complaints relating to George Tyndall, M.D. while he was employed at USC." Counsel provided some  
25 guidance with regard to the production, advising PLC that some of the documents produced reference  
26 complaints which USC had not been able to confirm relate to Dr. Tyndall, in which patients did not  
27 identify the clinician by name, but advised that these were included to err on the side of over, rather  
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1 than under, inclusion. USC advised that it was not producing privileged attorney-client, work product-  
2 protected documents and reserves all objections with regard to such documents.<sup>5</sup> As to these  
3 documents, counsel were given instructions on how to obtain the Dropbox password.

4 3. Potential Document Production Issues

5 (a) Plaintiffs' Position

6 Plaintiffs contend that USC should produce complaints received after the news  
7 broke regarding Dr. Tyndall's alleged abuse of female student patients and USC's  
8 alleged cover up. USC has advised of its position that such complaints are not relevant  
9 to what USC knew or should have known regarding Dr. Tyndall's alleged misconduct.  
10 Plaintiffs contend that they are entitled to such discovery as the documents may be  
11 relate back to incidents that took place prior to May 2018, and may also be relevant to  
12 other issues, including the breadth and scope of harm against USC student patients.

13 Additionally, Plaintiffs request that USC produce a privilege log identifying  
14 any documents that were withheld from the contemplated categories of documents for  
15 early production on the basis of a privilege or confirm that no documents have been  
16 withheld from production.

17 Finally, Plaintiff requests that USC produce documents pertaining to its  
18 investigation or identify the same as being withheld on the privilege log.

19 (b) USC's Position:

20 USC has provided the documents it agreed to produce as part of the initial  
21 exchange of discovery, as was discussed on the record at the last two status  
22 conferences. There was never any agreement or instruction by this Court that USC  
23 provide complaints received after Dr. Tyndall's employment ended or after the LA  
24 Times story broke. USC is opposed to Plaintiffs' attempt to revisit and expand what  
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26 <sup>5</sup> USC has not yet produced the Cindy Gilbert report to "Relationship and Sexual Violence Prevention  
27 and Services" (RSVP), because these reports are classified as mental health records and USC believes  
28 it needs Ms. Gilbert's authorization in order to produce the document. USC will be reaching out to Ms.  
Gilbert to obtain her authorization.

1 was previously agreed upon and ordered by the Court. Although some of this  
2 information may be subject to the scope of future discovery, as well as additional  
3 information from the Plaintiffs, that was not part of this initial exchange.

4 Similarly, there was never any discussion or agreement to provide a privilege log as  
5 part of this early exchange of discovery. A privilege log is tied to objections to a specific  
6 demand for inspection. CCP section 2031.240(b). That was not the process used or anticipated  
7 in the early exchange of discovery.

8 **V. STATUS OF EARLY RESOLUTION**

9 **A. MEET AND CONFER**

10 On April 22, 2019, PLC and Counsel for Defendants met and conferred and discussed the  
11 following: Protective Order, Master Complaint, Adoption Form, Authorizations and Records,  
12 Plaintiffs Fact Sheet, exchange of information, early discovery exchange, status of early resolution,  
13 dispositive motions such as a Cottle motion, etc.

14 **B. NAMES OF MEDIATORS**

15 PLC and Defendants have exchanged names of a number of potential mediators and continue  
16 to work to determine which mediators might be mutually agreeable both as to PLC and all Plaintiffs'  
17 counsel, as well as to the Defendants' counsel and their insurers.

18 **C. COTTLE MOTION**

19 **Defendants' Position:** Now that initial early discovery has commenced, Defendants believe a  
20 *Cottle* motion could be the appropriate vehicle to resolve certain cases based on statutes of limitations,  
21 if justified by information provided in response to a critical mass of Plaintiff Fact Sheets. Defendants  
22 estimate that approximately 66% of all filed cases are facially barred by the applicable statutes of  
23 limitations because the conduct at issue took place more than 4 years before filing, which is the longest  
24 statute of limitations at issue in these cases. Based on the verified information Plaintiffs are providing  
25 in the Plaintiff Fact Sheets, Defendants contend that certain Plaintiffs will not be able to establish a  
26 prima facie showing to invoke the delayed discovery rule, either because they had a suspicion of  
27 wrongdoing at or around the time of the encounter with Dr. Tyndall or a reasonable person would have

1 had a suspicion of wrongdoing based on the conduct that occurred more than four years before filing  
2 suit, either of which would trigger the statute of limitations.

3 Relatedly, Defendants contend that certain Plaintiffs will not be able to establish a prima facie case  
4 of fraudulent concealment to delay the accrual of their claims for statute of limitations purposes. As  
5 Judge Wilson recently recognized in dismissing similar claims against USC and Dr. Tyndall brought  
6 by an individual plaintiff in federal court, fraudulent concealment does not apply to delay the accrual  
7 of the statute of limitations once the plaintiff was on notice of her claim. So for Plaintiffs who had a  
8 suspicion of wrongdoing more than four years before filing suit, fraudulent concealment cannot  
9 apply to extend the statutes of limitations. Additionally, the conduct supporting a claim of  
10 fraudulent concealment to extend the statute of limitations cannot be the same conduct supporting  
11 the underlying causes of action; rather, the plaintiff must show that Defendants took some  
12 affirmative steps to fraudulently conceal the existence of the underlying claims. (See, April 18, 2019  
13 Civil Minutes, attached as **Exhibit "G"**). Defendants contend that the information exchanged as part  
14 of the early exchange of discovery will provide grounds for *Cottle* motions as to certain Plaintiffs on  
15 the issue of fraudulent concealment for purposes of extending the statute of limitations. In addition,  
16 Defendants anticipate a *Cottle* motion with respect to Plaintiffs' stand-alone claims for fraudulent  
17 concealment.

18 **Plaintiffs' Position:** A *Cottle* motion is entirely premature at this very early stage of litigation.  
19 Defendants are improperly attempting to use the Plaintiff Fact Sheets as a sword to move for dismissal  
20 of Plaintiffs' cases, before Plaintiffs have been authorized to depose any witnesses or gain access to  
21 any documents, other than those limited documents that Defendants have thus far voluntarily  
22 produced. To hear a *Cottle* motion before Plaintiffs have access to these critical discovery tools would  
23 wrongfully deprive Plaintiffs of the opportunity to conduct full and fair discovery on their fraudulent  
24 concealment defense to the statute of limitations, which is critical to Plaintiffs' ability to adequately  
25 defend against such a *Cottle* motion. Moreover, Assembly Bill 1510 ("AB 1510")—which would  
26 create a one-year window to revive time-barred civil actions arising out of sexual assault or misconduct  
27 by a physician occurring at a student health center—is currently pending in the California legislature;

1 because Defendants' statute of limitations defense would be rendered moot if AB 1510 is signed into  
2 law, permitting Defendants to file a *Cottle* motion before the legislature votes on AB 1510 would be  
3 a waste of significant judicial resources. Additionally, Plaintiffs dispute the Defendants' legal  
4 contentions regarding the application of Defendants' statute of limitations defense, and believe it is  
5 inappropriate to cite to a Central District of California order on pleadings challenges relating to a  
6 complaint not before this Court, which is not binding on this Court. For these reasons, the Court  
7 should decline to hear Defendants' *Cottle* motion at this time.

8 **VI. BELLWETHER CASES**

9 No further discussions as to early trials have been held since the March 14, 2019 status  
10 conference, although previous discussions were held on this topic and included in the past joint status  
11 reports. Defendants and PLC continue to agree with the Court that such discussions are premature at  
12 this stage.

13 Defendant USC believes that obtaining early rulings on issues such as statute of limitations,  
14 scope of employment, and actual or constructive knowledge, by way of a *Cottle* motion or early  
15 adjudication, would significantly assist the parties in evaluating and potentially resolving many of  
16 these cases. Defendant USC will at least need Plaintiffs' responses to Adoption Forms and responses  
17 to Plaintiff Fact Sheets to be able to determine and propose specific procedures in this regard.

18 **VII. ADMINISTRATIVE**

19 **A. COMPLEX CASE FEES:**

20 Counsel respectfully request clarification from the Court as to the April 9, 2019 Minute Order,  
21 attached as **Exhibit "H"**, regarding order for payment of a complex fee of \$1,000.00 per case, per  
22 party. It is Counsel's understanding that there is a limit of \$18,000.00 to be paid in any complex  
23 litigation case pursuant to Government Code Section 70616(b); Local Rule 3.3(k)(7).

24 **B. FURTHER STATUS CONFERENCE:**

25 The parties have met and conferred regarding dates for upcoming additional status conference  
26 appearances and will continue to do so, keeping in mind the large number of counsel all of whom are  
27 actively engaged in trials, other litigated matters, and balancing their personal and family lives with  
28

1 the obligations of this complex litigation. Pursuant to the Court’s request of two additional status  
2 conferences in May of 2019, the Parties have met and conferred on proposed dates and posted  
3 regarding the suggestion of May 9, 2019 and May 30, 2019 on CaseAnywhere, but would like to  
4 address the dates further at the hearing on April 29, 2019, as all counsel are not available on those  
5 dates.

6 DATED: April 25, 2019

**TAYLOR DEMARCO LLP**

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By: /s/ N. Denise Taylor  
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DATED: April 25, 2019

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By: /s/ Michael E. Williams

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DATED: April 25, 2019

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By: /s/ Stephen C. Fraser

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DATED: April 25, 2019

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DATED: April 25, 2019

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