

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Ian B. Wieland, 285721 / Christopher M. Rusca, 264608 / Paul M. Parvianian, 247284 SAGASER, WATKINS & WIELAND PC 5260 North Palm Avenue, Suite 400, Fresno, California 93704  TELEPHONE NO: (559) 421-7000 FAX NO: (559) 473-1483 ATTORNEY FOR (Name): Defendant CHCC	FOR COURT USE ONLY           <b>E-FILED</b> <b>2/5/2024 4:42 PM</b> <b>Superior Court of California</b> <b>County of Fresno</b> <b>By: Maria Lopez, Deputy</b>
<p align="center"><b>SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO</b>  <b>Civil Division</b>          1130 O Street          Fresno, California 93721-2220</p>	
PLAINTIFF/PETITIONER: <b>John Doe, Jane Doe, and Daughter Doe</b>  DEFENDANT/RESPONDENT: <b>John Christopher Spatafore, et al.</b>	
<p align="center"><b>REQUEST FOR PRETRIAL DISCOVERY CONFERENCE</b></p>	CASE NUMBER: <b>21CECG03118</b>

Plaintiff(s)  Defendant(s)  Cross-complainant(s)  Cross-defendant(s)  Other(s) Request a Pretrial Discovery Conference.

A Pretrial Discovery Conference is being requested for the following reasons:

- A dispute has arisen regarding a request for production of documents, set propounded on
- A dispute has arisen regarding form or special interrogatories, set One propounded on 4/14/2023
- A dispute has arisen regarding a deposition subpoena directed at for deposition scheduled for
- A dispute has arisen regarding a deposition notice, production of documents at a deposition or deposition questions related to the deposition of scheduled for or held on
- A dispute has arisen regarding monetary, issue, evidence or terminating sanctions related to a failure to comply with
- Privilege is the basis for the refusal to produce documents and a privilege log is attached which complies with Local Rule 2.1.17(B).

The parties have engaged in the following meaningful meet and confer efforts prior to filing this request: (Describe in detail all meet and confer efforts including any narrowing of the issues or resolutions reached via these efforts.)

In April 2023, Defendant Community Hospitals of Central California ("CHCC") served Special Interrogatories, Set One, on Plaintiff John Doe ("Plaintiff"), and after a lengthy meet and confer process that involved discovery conference statements, on October 27, 2023, Plaintiff served supplemental responses. On November 16, 2023, CHCC served Plaintiff with a meet and confer letter requesting further supplemental responses due to various remaining incomplete responses and/or a lack of responses. On November 27, 2023, the parties had a telephonic meet and confer conference during which Plaintiff agreed to provide amended supplemental responses on or before January 12, 2024, with a corresponding extension given on the motion to compel further responses deadline. On January 17, 2024, Plaintiff was provided with another extension to provide amended supplemental responses to January 26, 2024, and CHCC's deadline to file a motion to compel further responses was extended to February 16, 2024. On January 26, 2024, counsel for Plaintiff indicated that he had still not completed the responses and was out of town for a two-day mediation during the week of Jan. 29th - Feb. 2nd, and would supply them following his return. As of Monday February 5th, no further discovery responses or any further communications have been received.

A brief summary of the dispute, including the facts and legal arguments at issue is as follows:  
(Excepting a privilege log if checked above, no pleadings, exhibits, declarations, or attachments shall be attached.)

On April 14, 2023, approximately 10 months ago, CHCC propounded General Form Interrogatories, Set One, and Special Interrogatories, Set One (collectively, the "Discovery"), on Plaintiff. After several extensions provided to Plaintiff, on or about June 30, 2023, all that was received were unverified improper responses. The meet and confer process, along with discovery conference statements involving the court, ran up to approximately October 27, 2023, when Plaintiff served CHCC with supplemental Discovery responses. The details of the first series of extensions and meeting and conferring on this discovery are contained in the first discovery conference statement concerning this Discovery filed with the Court on September 29, 2023.

The supplemental Discovery responses received on or about October 27, 2023 were still incomplete and inadequate in various ways. On November 16, 2023, CHCC served Plaintiff with a meet and confer letter outlining legal authority and arguments for the various deficiencies, requesting a telephonic meet and confer conference shortly thereafter, and if no date was selected by Plaintiff, suggesting a default date and time of November 21, 2023. Ultimately, the parties agreed upon, and had a telephonic meet and confer conference on November 27, 2023. During the meet and confer telephone conference, Plaintiff agreed Defendant was entitled to additional responses and to provide amended supplemental responses on or before January 12, 2024, and Plaintiff extended the deadline for CHCC to file a motion to compel further responses to the Discovery to February 2, 2024.

Plaintiff was provided with another extension to provide amended supplemental responses to January 26, 2024, and CHCC's deadline to file a motion to compel further responses was extended to February 16, 2024. On January 26, 2024, counsel for Plaintiff indicated that he had still not completed the responses and was out of town for a two-day mediation during the week of Jan. 29th - Feb. 2nd, and would supply them following his return. As of Monday February 5th, it has been approximately 290 days since the discovery was initially served, and Plaintiff's counsel has still not provided the amended supplemental responses that were promised after Plaintiff acknowledged CHCC was entitled to additional supplemental Discovery responses, nor have any further communications have been received.

It is understood that the filing of this request for a Pretrial Discovery Conference tolls the time for filing a motion to compel discovery on the disputed issues for the number of days between the filing of the request and issuance by the Court of a subsequent order pertaining to the discovery dispute.


Opposing Party was served with a copy of **REQUEST FOR PRETRIAL DISCOVERY CONFERENCE** on: 2/5/2024  
Date

Pursuant to Local Rule 2.1.17(A)(1), any opposition to this request for a Pretrial Discovery Conference must also be filed on an approved form and must be filed within five (5) court days of receipt of the request for a Pretrial Discovery Conference and must be served on the opposing party.

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

2/5/2024  
Date

Christopher M. Rusca  
Type or Print Name

/s/   
Signature of Party or Attorney for Party

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**PROOF OF SERVICE**  
(CODE CIV. PROC. § 1013)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 5260 North Palm Avenue, Suite 400, Fresno, California 93704.

On February 5, 2024, I served the following document(s) described as **REQUEST FOR PRETRIAL DISCOVERY CONFERENCE** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

**SEE ATTACHED SERVICE LIST**

- BY MAIL:** I deposited such envelope in the mail at Fresno, California. The envelope(s) was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.
- BY OVERNIGHT COURIER:** I sent such document(s) on February 5, 2024, by with postage thereon fully prepaid at Fresno, California.
- BY FAX:** I sent such document by use of facsimile machine telephone number (559) 473-1483. Facsimile cover sheet and confirmation is attached hereto indicating the recipients' facsimile number and time of transmission pursuant to California Rules of Court Rule 2.306. The facsimile machine I used complied with California Rules of Court Rule 2.301(3) and no error was reported by the machine.
- BY PERSONAL SERVICE:** I placed the above document in a sealed envelope. I caused said envelope to be handed to our messenger to be delivered by hand to the above address(es).
- BY EMAIL:** I sent such document by use of email to the email address(es) above. (CCP § 1013(a)) Such document was scanned and emailed to such recipient(s).

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

Executed on February 5, 2024, at Fresno, California.

  
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Leslie Parr

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**SERVICE LIST**

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