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FILED
ALAMEDA COUNTY
 FEB 15 2018
 CLERK OF THE SUPERIOR COURT
 By *[Signature]*
 P. OLIVER, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF ALAMEDA - NORTHERN

DONNELLY NELSON DEPOLO MURRAY & EFREMSKY
 A Professional Corporation

11 LATASHA NAILAH SPEARS WINKFIELD;
 12 MARVIN WINKFIELD; SANDRA CHATMAN;
 and JAHl McMATH, a minor, by and through
 13 her Guardian Ad Litem, LATASHA NAILAH
 SPEARS WINKFIELD,

Case No. RG15760730

**JOINDER OF DEFENDANT JAMES
 PATRICK HOWARD, M.D. Ph.D. IN EX
 PARTE APPLICATION OF DEFENDANT
 UCSF BENIOFF CHILDREN'S HOSPITAL
 OAKLAND FOR AN ORDER
 CONTINUING PLAINTIFF'S MOTION TO
 BIFURCATE**

14 Plaintiffs,
 15 vs.

16 FREDERICK S. ROSEN, M.D.; UCSF
 BENIOFF CHILDREN'S HOSPITAL OAKLAND
 17 (formerly Children's Hospital & Research
 Center at Oakland); MILTON McMATH, a
 18 nominal defendant, and DOES 1 THROUGH
 100,

Date: February 15, 2018
 Time: 2:30 p.m.
 Dept.: 517
 Reservation No.: R-1935569

ASSIGNED FOR ALL PURPOSES TO:
THE HON. STEPHEN PULIDO; DEPT. 517

19 Defendants.

21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE that Defendant on JAMES PATRICK HOWARD, M.D. Ph.D. joins in
 23 the ex parte application of Defendant UCSF BENIOFF CHILDREN'S HOSPITAL OAKLAND to be
 24 presented on February 15, 2018 at 2:30 p.m. in Dept. 517 of the above-entitled court.

25 Defendant Howard asserts that the plaintiffs' motion to bifurcate appears to be a deliberate
 26 attempt on the part of plaintiffs' counsel to circumvent this court's clear direction to the parties to
 27 prepare for, and appear at, an upcoming Case Management Conference that will be solely
 28 dedicated to exploring the further structure of discovery, law and motion, and general management

1 of the multitude of unique jurisdictional, legal, ethical and medico-legal issues presented by this
2 case. Instead of attempting to circumvent the court's clear directions to the parties on this subject,
3 plaintiff's counsel filed the instant motion, the subject matter of which Defendant asserts should have
4 been presented with plaintiff's proposed case management contributions for the court to consider.
5 The order and types of issues to be addressed in what order should be presented for the court's and
6 the parties' consideration and jointly discussed among the court and parties.

7 Defendant Howard therefore requests that the court order plaintiff's motion off calendar, to be
8 re-calendared according to the court's discretion after completion of the Case Management
9 Conference.

10 Dated: 2/14/2018

11 DONNELLY NELSON DEPOLO MURRAY & EFREMSKY

12
13 By: 

14 SONJA M. DAHL

15 Attorneys for Defendant
16 James Patrick Howard, M.D., Ph.D.

PROOF OF SERVICE

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I declare under penalty of perjury that:

I am a citizen of the United States, and am a resident or employed in the County of Contra Costa. I am over the age of eighteen years and not a party to the within action. My business address is 201 North Civic Drive, Suite 239, Walnut Creek, CA 94596.

On the date set forth below, I caused the attached JOINDER OF DEFENDANT JAMES PATRICK HOWARD, M.D. Ph.D. IN EX PARTE APPLICATION OF DEFENDANT UCSF BENIOFF CHILDREN'S HOSPITAL OAKLAND FOR AN ORDER CONTINUING PLAINTIFF'S MOTION TO BIFURCATE to be served on the parties to this action as follows:

BY MAIL.

I placed a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Walnut Creek, California, addressed to the parties as set forth on the attached service list. C.C.P. §§1013(a), 2015.5.

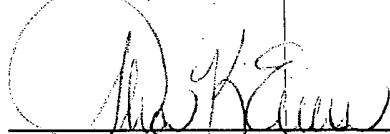
BY FACSIMILE TRANSMISSION.

I am readily familiar with this law firm's business practices for collection and processing of documents by way of facsimile. I telefaxed a true copy thereof at said facsimile number(s) as set forth on the attached service list. C.C.P. §§1013(e), 2015.5 and C.R.C. §2.306.

BY EMAIL TRANSMISSION.

My email address is severson@dndmlawyers.com. I caused courtesy copies of such document(s) described herein to be sent to the person(s) at the email address(es) listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. C.C.P. §1010.6(a)(6)

Executed on February 14, 2018 at Walnut Creek, California.



Sharon K. Everson

1 WINKFIELD (MCMATH, JAHI) V. HOWARD

2 ALAMEDA - NORTHERN COUNTY SUPERIOR COURT CASE NO. RG15760730

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UCSF Benioff Children's Hospital Oakland
and Frederick S. Rosen, M.D.

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