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Attorney for Law Project for Psychiatric Rights

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

UNITED STATES OF AMERICA	)	
<i>Ex rel.</i> Law Project for Psychiatric	)	Case No. 3:09-CV-00080-TMB
Rights, an Alaskan non-profit	)	
corporation,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
OSAMU H. MATSUTANI, MD, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**PSYCHRIGHTS' RESPONSE TO REQUEST FOR ORAL  
ARGUMENT**

With respect to the defendants' Request for Oral Argument, Dkt. No. 122, *Qui tam* relator Law Project for Psychiatric Rights (PsychRights®), requests the argument on each of the four separate motions be scheduled at least a few days apart, preferably a week. A proposed order to such effect is lodged herewith.

With 32 lawyers having entered their appearances on behalf of the defendants by PsychRights' count, the defendants will be able to have different attorneys prepare and argue each motion, while PsychRights only has one attorney who will be preparing for and arguing all of the motions. Since PsychRights signed up for such alignment it is not

requesting oral argument on each motion be scheduled at least a few days apart for fairness reasons, but because being able to concentrate on preparing for each motion separately allows PsychRights to be better able to respond to whatever questions the Court might have.

RESPECTFULLY SUBMITTED this 28th day of May 2010.

Law Project for Psychiatric Rights, an Alaskan non-profit corporation

By: /s/ James B. Gottstein

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 28, 2010, a true and correct copy of this document and accompanying proposed order was served electronically on all parties of record by electronic means through the ECF system as indicated on the Notice of Electronic Filing, or if not confirmed by ECF, by first class regular mail.

/s/ James B. Gottstein

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corporation,	)	
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Plaintiff,	)	
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vs.	)	
	)	
OSAMU H. MATSUTANI, MD, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**(Proposed) ORDER GRANTING  
and  
SCHEDULING  
ORAL ARGUMENT**

The Defendants' Request for Oral Argument (Docket No. 122) is hereby  
GRANTED. Oral argument on the following motions is set for the following times:

1. Motion to Dismiss Under Rule 12(b)(6) (April 5, 2010), Docket 92, on  
\_\_\_\_\_2010, at \_\_\_\_\_ a.m./p.m., in Courtroom \_\_\_\_\_;

2. Motion of All Defendants to Dismiss Complaint Pursuant to Rule 9(b) (March 30, 2010), Docket 83 on \_\_\_\_\_ 2010, at \_\_\_\_\_ a.m./p.m., in Courtroom \_\_\_\_\_;

3. Motion to Dismiss Under Rule 12(b)(1) and 12(h)(3) for Lack of Subject Matter Jurisdiction Under the False Claims Act's Public Disclosure Bar, 31 U.S.C. § 3730(e)(4)(A) (April 5, 2010), Docket 89, on \_\_\_\_\_ 2010, at \_\_\_\_\_ a.m./p.m., in Courtroom \_\_\_\_\_; and

4. Motion to Dismiss Claims Against State of Alaska Officials William Hogan, Tammy Sandoval, Steve McComb, and William Streur (April 5, 2010), Docket 90, on \_\_\_\_\_ 2010, at \_\_\_\_\_ a.m./p.m., in Courtroom \_\_\_\_\_.

IT IS SO ORDERED,

This \_\_\_\_ day of \_\_\_\_\_, 2010.

By: \_\_\_\_\_  
TIMOTHY M. BURGESS  
UNITED STATES DISTRICT JUDGE