

**U.S. District Court - District of Colorado**  
**District of Colorado (Denver)**  
**CRIMINAL DOCKET FOR CASE #: 1:21-cr-00229-RBJ All Defendants**

Case title: USA v. DaVita Inc. et al

Date Filed: 07/14/2021

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Assigned to: Judge R. Brooke Jackson

**Defendant (1)**

**DaVita Inc.**

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**Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Disposition**

**Terminated Counts**

15 U.S.C. § 1 - Conspiracy in Restraint of  
Trade to Allocate Employees  
(1-2)

15 U.S.C. § 1 Conspiracy in Restraint of  
Trade to Allocate Employees  
(1s-3s)

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition****Disposition**

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Assigned to: Judge R. Brooke Jackson

**Defendant (2)**

**Kent Thiry**

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**Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Disposition**



**Terminated Counts**

15 U.S.C. § 1 - Conspiracy in Restraint of  
Trade to Allocate Employees  
(1-2)

15 U.S.C. § 1 Conspiracy in Restraint of  
Trade to Allocate Employees  
(1s-3s)

**Disposition****Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition****Interested Party**

**Chamber of Commerce of the United  
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**Interested Party**

**National Association of Criminal Defense  
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Date Filed	#	Docket Text
07/14/2021	<u>1</u>	INDICTMENT as to DaVita Inc. (1) count(s) 1-2, Kent Thiry (2) count(s) 1-2. (Attachments: # <u>1</u> Criminal Information Sheet, # <u>2</u> Criminal Information Sheet) (rvill, ) (Entered: 07/15/2021)
07/14/2021	<u>2</u>	RESTRICTED DOCUMENT - Level 4: as to DaVita Inc. and Kent Thiry. (rvill, ) (Entered: 07/15/2021)
07/14/2021	<u>3</u>	Summons Issued as to DaVita Inc. Initial Appearance set for 7/20/2021 at 2:00 PM in Courtroom A 401 before Magistrate Judge Kristen L. Mix. (rvill, ) (Entered: 07/15/2021)
07/14/2021	<u>4</u>	Summons Issued as to Kent Thiry. Initial Appearance set for 7/20/2021 at 2:00 PM in Courtroom A 401 before Magistrate Judge Kristen L. Mix. (rvill, ) (Entered: 07/15/2021)
07/14/2021	<u>5</u>	MOTION for Public Access by USA as to DaVita Inc. and Kent Thiry. (rvill, ) (Entered: 07/15/2021)
07/15/2021	<u>6</u>	ORDER Granting <u>5</u> Motion to Unrestrict Case as to DaVita Inc. (1), Kent Thiry (2) by Magistrate Judge Scott T. Varholak on July 15, 2021. (rvill, ) (Entered: 07/15/2021)
07/15/2021	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE Anthony William Mariano appearing for USA. Attorney Anthony William Mariano added to party USA(pty:pla) (Mariano, Anthony) (Entered: 07/15/2021)
07/19/2021	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE: John C. Dodds appearing for DaVita Inc. Attorney John C. Dodds added to party DaVita Inc.(pty:dft) (Dodds, John) (Entered: 07/19/2021)
07/19/2021	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: John Clayton Everett, Jr appearing for DaVita Inc. Attorney John Clayton Everett, Jr added to party DaVita Inc.(pty:dft) (Everett, John) (Entered: 07/19/2021)
07/19/2021	<u>10</u>	NOTICE OF ATTORNEY APPEARANCE: John F. Walsh, III appearing for DaVita Inc. Attorney John F. Walsh, III added to party DaVita Inc.(pty:dft) (Walsh, John) (Entered: 07/19/2021)
07/19/2021	<u>11</u>	NOTICE OF ATTORNEY APPEARANCE: Heather Steiner Nyong'o appearing for DaVita Inc. Attorney Heather Steiner Nyong'o added to party DaVita Inc.(pty:dft) (Nyong'o, Heather) (Entered: 07/19/2021)
07/19/2021	<u>12</u>	NOTICE OF ATTORNEY APPEARANCE: Daniel Robert Crump appearing for DaVita Inc. Attorney Daniel Robert Crump added to party DaVita Inc.(pty:dft) (Crump, Daniel) (Entered: 07/19/2021)
07/20/2021	<u>13</u>	NOTICE OF ATTORNEY APPEARANCE: Tracey F Milich appearing for DaVita Inc. Attorney Tracey F Milich added to party DaVita Inc.(pty:dft) (Milich, Tracey) (Entered: 07/20/2021)
07/20/2021	<u>14</u>	NOTICE OF ATTORNEY APPEARANCE: Erica Jaffe appearing for DaVita Inc. Attorney Erica Jaffe added to party DaVita Inc.(pty:dft) (Jaffe, Erica) (Entered: 07/20/2021)
07/20/2021	<u>15</u>	WAIVER Defendant DaVita Inc.'s Notice of Waiver of Arraignment Hearing and Entry of Plea of Not Guilty by DaVita Inc. (Walsh, John) (Entered: 07/20/2021)

07/20/2021	<u>16</u>	NOTICE OF ATTORNEY APPEARANCE: Clifford B. Stricklin appearing for Kent ThiryAttorney Clifford B. Stricklin added to party Kent Thiry(pty:dft) (Stricklin, Clifford) (Entered: 07/20/2021)
07/20/2021	<u>17</u>	<p>MINUTE ENTRY for Initial Appearance, Arraignment and Discovery Hearing as to DaVita Inc. held before Magistrate Judge Kristen L. Mix on 7/20/2021. Corporate representative is present on summons. Defendant advised. Plea of NOT GUILTY entered by defendant. Discovery memorandum executed. Counsel to chambers. (Total time: 19 minutes, Hearing time: 2:37-2:56 (time split with codefendant))</p> <p><b>APPEARANCES:</b> Martha Paluch on behalf of the Government, John Walsh and John Dodds on behalf of the defendant. FTR: KLM Courtroom A401. (lgale, ) Text Only Entry (Entered: 07/20/2021)</p>
07/20/2021	<u>18</u>	<p>MINUTE ENTRY for Initial Appearance, Arraignment, Detention and Discovery Hearing as to Kent Thiry held before Magistrate Judge Kristen L. Mix on 7/20/2021. Defendant is present on summons. Defendant advised. Defendant is not seeking court appointed counsel. Plea of NOT GUILTY entered by defendant. Discovery memorandum executed. Counsel for the government and defense counsel address the Court as to bond conditions. Bond set as to Kent Thiry (2) Personal Recognizance with the conditions as set forth in the Order Setting Conditions of Release. Defendant advised of conditions of bond and released for processing. Counsel to chambers. (Total time: 19 minutes, Hearing time: 2:37-2:56 (time split with codefendant))</p> <p><b>APPEARANCES:</b> Martha Paluch on behalf of the Government, Jeffrey Stone and Cliff Stricklin on behalf of the defendant. FTR: KLM Courtroom A401. (lgale, ) Text Only Entry (Entered: 07/20/2021)</p>
07/20/2021	<u>19</u>	Personal Recognizance Bond Entered as to Kent Thiry (lgale, ) (Entered: 07/20/2021)
07/20/2021	<u>20</u>	ORDER Setting Conditions of Release as to Kent Thiry (2) Personal Recognizance by Magistrate Judge Kristen L. Mix on 7/20/21. (lgale, ) (Entered: 07/20/2021)
07/20/2021	<u>21</u>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 8 days as to Kent Thiry by Magistrate Judge Kristen L. Mix on 7/20/21. (lgale, ) (Entered: 07/20/2021)
07/20/2021	<u>22</u>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 8 days as to DaVita Inc. by Magistrate Judge Kristen L. Mix on 7/20/21. (lgale, ) (Entered: 07/20/2021)
07/21/2021	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE: Daniel R. Campbell appearing for DaVita Inc., Kent ThiryAttorney Daniel R. Campbell added to party Kent Thiry(pty:dft) (Campbell, Daniel) (Entered: 07/21/2021)
07/21/2021	<u>24</u>	NOTICE OF ATTORNEY APPEARANCE: Jeffrey E. Stone appearing for Kent ThiryAttorney Jeffrey E. Stone added to party Kent Thiry(pty:dft) (Stone, Jeffrey) (Entered: 07/21/2021)
07/21/2021	<u>25</u>	Certificate of Service by USA as to DaVita Inc. re <u>3</u> Summons Issued (Lewis, Megan) (Entered: 07/21/2021)
07/21/2021	<u>26</u>	Certificate of Service by USA as to Kent Thiry re <u>4</u> Summons Issued (Lewis, Megan) (Entered: 07/21/2021)
07/23/2021	<u>27</u>	MOTION for Order <i>Alternative Crime Victim Notification</i> by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Mariano, Anthony) (Entered: 07/23/2021)

07/23/2021	<u>28</u>	NOTICE OF ATTORNEY APPEARANCE: Justin P. Murphy appearing for DaVita Inc., Kent Thiry Attorney Justin P. Murphy added to party Kent Thiry(pty:dft) (Murphy, Justin) (Entered: 07/23/2021)
07/26/2021	<u>29</u>	ORDER by Judge R. Brooke Jackson on 7/26/2021, re: <u>27</u> MOTION for Order Alternative Crime Victim Notification as to DaVita Inc. (1), Kent Thiry (2) is GRANTED. (sphil, ) (Entered: 07/26/2021)
08/07/2021	<u>30</u>	TRANSCRIPT of Initial Appearance, Arraignment, Discovery and Detention Hearing as to DaVita Inc. held on July 20, 2021 before Magistrate Judge Mix. Pages: 1-17.  <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Patterson Transcription Company, ) (Entered: 08/07/2021)
08/10/2021	<u>31</u>	MOTION for Protective Order by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only), # <u>2</u> Exhibit)(Mariano, Anthony) (Entered: 08/10/2021)
08/10/2021	<u>32</u>	Unopposed MOTION for Speedy Trial <i>Defendants' Unopposed Motion for an Ends of Justice Exclusion of 231 Days from the Speedy Trial Calendar Pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and (B)(i), (ii), and (iv)</i> by DaVita Inc. as to DaVita Inc., Kent Thiry. (Walsh, John) (Entered: 08/10/2021)
08/10/2021	<u>33</u>	STIPULATION <i>Regarding Case Schedule</i> by DaVita Inc. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order Setting Case Schedule)(Walsh, John) (Entered: 08/10/2021)
08/13/2021	<u>34</u>	Unopposed MOTION for Protective Order by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only), # <u>2</u> Exhibit)(Mariano, Anthony) (Entered: 08/13/2021)
08/13/2021	<u>35</u>	Unopposed MOTION to Disclose Grand Jury Material to Defendant by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 08/13/2021)
08/19/2021	36	ORDER denying <u>31</u> Motion for Protective Order as to DaVita Inc. (1) and Kent Thiry (2). Denied without prejudice. The Court is aware of the parties' agreement at ECF No. 34. However, any protective order must comply with this Court's practice standards and so indicate. Basically, the Court will have no objection to your agreement as to how you treat each other's documents and information. But any documents filed with the Court will be open to the public without restriction unless good cause is shown on a document by document basis to restrict public access. The Court conducts its business in public, and that will be so in this case. The Court advises the parties not to file with the Court any document that the party considers to be confidential unless it is absolutely necessary. This is the best way to avoid the issue. The parties may redact private personal information such as an individual's contact information, Social Security number, and medical information without the need for leave of the Court. By Judge R. Brooke Jackson on 8/19/2021. Text Only Entry (rbjsec. ) (Entered: 08/19/2021)
08/19/2021	37	ORDER granting <u>32</u> Unopposed MOTION for Speedy Trial Defendants' Unopposed Motion for an Ends of Justice Exclusion of 231 Days from the Speedy Trial Calendar

		Pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and (B)(i), (ii), and (iv) as to DaVita Inc. (1) and Kent Thiry (2). Based on defendants' representations, the Court finds that this is a complex case and will involve voluminous discovery materials. There has been no indication of any lack of diligence, nor is there an indication that exclusion of time as requested would prejudice any person or the public. The government does not oppose the motion. Granted in the ends of justice. 231 days are excluded from the speedy trial calculation. It is the parties' responsibility to make sure that the trial setting, and any modification thereof, falls within the Speedy Trial Act deadline as extended. By Judge R. Brooke Jackson on 8/19/2021. Text Only Entry (rbjsec. ) (Entered: 08/19/2021)
08/19/2021	38	MINUTE ORDER as to DaVita Inc., Kent Thiry re <u>33</u> Stipulation Regarding Case Schedule. The Court approves the parties proposed case schedule. By Judge R. Brooke Jackson on 8/19/2021. Text Only Entry (rbjsec. ) (Entered: 08/19/2021)
08/19/2021	<u>39</u>	ORDER SETTING CASE SCHEDULE as to DaVita Inc. and Kent Thiry. DaVita Corp. Disclosure Statement: 8/23/2021; Motion to Dismiss filing deadline: 9/14/2021; Government's Rule 16 production deadline: 9/20/2021; Government's response to MTD: 10/19/2021; Defendants' Rule 16 production deadline: 10/20/2021; Defendants' reply re MTD: 11/2/2021; Oral argument on MTD: 11/19/2021 at 9:00 a.m.; All other motions deadline: 12/3/2021; Motions in Limine, including under FRE 702: 12/17/2021; Response to all other motions: 1/7/2022; Responses to Motions in Limine: 1/14/2022; Production of 18 U.S.C. 3500 material, Witness Lists, Exhibit Lists: 1/24/2022; Supplemental Motions in Limine relating to 3500 material, Witness and Exhibit Lists: 2/7/2022; Proposed Voir Dire, Jury Charge: 2/7/2022; Responses to Supplemental Motions in Limine: 2/21/2022; General Motions Hearing: 3/3/2022 at 9:00 a.m.; Jury Trial - Three Weeks: 3/28/2022 - 4/15/2022 at 9:00 a.m. By Judge R. Brooke Jackson on 8/19/2021. (rbjsec. ) (Entered: 08/19/2021)
08/19/2021	40	ORDER denying <u>34</u> Unopposed MOTION for Protective Order as to DaVita Inc. (1), Kent Thiry (2). Denied without prejudice. See ECF No. 36. By Judge R. Brooke Jackson on 8/19/2021. Text Only Entry (rbjsec.) (Entered: 08/19/2021)
08/19/2021	41	ORDER granting <u>35</u> Unopposed MOTION to Disclose Grand Jury Material to Defendant as to DaVita Inc. (1) and Kent Thiry (2). By Judge R. Brooke Jackson on 8/19/2021. Text Only Entry (rbjsec. ) (Entered: 08/19/2021)
08/20/2021	<u>42</u>	Unopposed MOTION for Protective Order by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Mariano, Anthony) (Entered: 08/20/2021)
08/20/2021	<u>43</u>	ORDER granting <u>42</u> Motion for Protective Order as to DaVita Inc. (1), Kent Thiry (2) by Judge R. Brooke Jackson on 8/20/21. (jdyne, ) (Entered: 08/20/2021)
08/20/2021	<u>44</u>	CORPORATE DISCLOSURE STATEMENT by DaVita Inc.. (Everett, John) (Entered: 08/20/2021)
09/09/2021	<u>45</u>	NOTICE OF ATTORNEY APPEARANCE: Seth P. Waxman appearing for DaVita Inc. Attorney Seth P. Waxman added to party DaVita Inc.(pty:dft) (Waxman, Seth) (Entered: 09/09/2021)
09/09/2021	<u>46</u>	Unopposed MOTION for Leave to File Excess Pages [ <i>Defendants' Unopposed Motion for Enlargement</i> ] by DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Walsh, John) (Entered: 09/09/2021)
09/10/2021	47	ORDER granting <u>46</u> Unopposed MOTION for Leave to File Excess Pages [ <i>Defendants' Unopposed Motion for Enlargement</i> ] as to DaVita Inc. (1), Kent Thiry (2). By Judge R. Brooke Jackson on 9/10/2021. Text Only Entry (rbjsec. ) (Entered: 09/10/2021)

09/14/2021	<u>48</u>	NOTICE OF ATTORNEY APPEARANCE: David Lehn appearing for DaVita Inc. Attorney David Lehn added to party DaVita Inc.(pty:dft) (Lehn, David) (Entered: 09/14/2021)
09/14/2021	<u>49</u>	Joint MOTION to Dismiss [ <i>Defendants' Joint Motion to Dismiss</i> ] by DaVita Inc., Kent Thiry. (Walsh, John) (Entered: 09/14/2021)
09/21/2021	<u>50</u>	Unopposed MOTION for Leave to File <i>and Participate as Amicus Curiae and Brief Supporting Defendants' Joint Motion to Dismiss Indictment</i> by Chamber of Commerce of the United State of America, The as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Streett, Aaron) (Entered: 09/21/2021)
09/22/2021	<u>51</u>	MOTION for Order <i>To File An Amicus Curiae Brief In Support Of Defendants' Joint Motion To Dismiss</i> by National Association of Criminal Defense Lawyers' as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only), # <u>2</u> Proposed Document Amicus Brief)(Phillips, Carter) (Entered: 09/22/2021)
09/22/2021	<u>52</u>	NOTICE OF ATTORNEY APPEARANCE: Carter G. Phillips appearing for Interested Party National Association of Criminal Defense Lawyers' (Phillips, Carter) (Entered: 09/22/2021)
09/22/2021	<u>53</u>	NOTICE OF ATTORNEY APPEARANCE: Jeffrey Todd Green appearing for Interested Party National Association of Criminal Defense Lawyers' Attorney Jeffrey Todd Green added to party National Association of Criminal Defense Lawyers'(pty:ip) (Green, Jeffrey) (Entered: 09/22/2021)
09/22/2021	<u>54</u>	NOTICE OF ATTORNEY APPEARANCE: Benjamin R. Nagin appearing for Interested Party National Association of Criminal Defense Lawyers' Attorney Benjamin R. Nagin added to party National Association of Criminal Defense Lawyers'(pty:ip) (Nagin, Benjamin) (Entered: 09/22/2021)
09/22/2021	<u>55</u>	NOTICE OF ATTORNEY APPEARANCE: Tacy F. Flint appearing for Interested Party National Association of Criminal Defense Lawyers' Attorney Tacy F. Flint added to party National Association of Criminal Defense Lawyers'(pty:ip) (Flint, Tacy) (Entered: 09/22/2021)
09/22/2021	<u>56</u>	NOTICE OF ATTORNEY APPEARANCE: Brianna O. Gallo appearing for Interested Party National Association of Criminal Defense Lawyers' Attorney Brianna O. Gallo added to party National Association of Criminal Defense Lawyers'(pty:ip) (Gallo, Brianna) (Entered: 09/22/2021)
09/22/2021	<u>57</u>	NOTICE OF ATTORNEY APPEARANCE: Rachel L. Hampton appearing for Interested Party National Association of Criminal Defense Lawyers' Attorney Rachel L. Hampton added to party National Association of Criminal Defense Lawyers'(pty:ip) (Hampton, Rachel) (Entered: 09/22/2021)
09/22/2021	58	ORDER granting <u>51</u> MOTION for Order To File An Amicus Curiae Brief In Support Of Defendants' Joint Motion To Dismiss. The Court requests that the Clerk of Court's Office docket the Amicus Brief located at ECF No. 51-2. By Judge R. Brooke Jackson on 9/22/2021. Text Only Entry (rbjsec.) (Entered: 09/22/2021)
09/22/2021	<u>61</u>	BRIEF of Amicus Curiae by National Association of Criminal Defense Lawyers' re: <u>49</u> Joint MOTION to Dismiss Defendants' Joint Motion to Dismiss filed by Kent Thiry, DaVita Inc. (brief filed in case pursuant to [#58] Order). (sphil, ) (Entered: 09/28/2021)
09/27/2021	<u>59</u>	MOTION for Order <i>Granting Leave to Participate as Amicus Curiae</i> by Colorado Chamber of Commerce as to DaVita Inc., Kent Thiry. (Murray, Christopher) (Entered: 09/27/2021)



09/28/2021	<u>60</u>	ORDER granting <u>59</u> MOTION for Order Granting Leave to Participate as Amicus Curiae by Colorado Chamber of Commerce as to DaVita Inc., Kent Thiry. Please file your brief, limited to 10 pages. It will be of no value if it merely duplicates other briefs. By Judge R. Brooke Jackson on 9/28/2021. Text Only Entry (rbjsec. ) (Entered: 09/28/2021)
09/30/2021	<u>62</u>	BRIEF by Chamber of Commerce of the United States of America, The as to DaVita Inc., Kent Thiry (Murray, Christopher) (Entered: 09/30/2021)
09/30/2021	<u>63</u>	BRIEF by Colorado Chamber of Commerce as to DaVita Inc., Kent Thiry (Murray, Christopher) (Entered: 09/30/2021)
10/14/2021	<u>64</u>	Unopposed MOTION for Leave to File Excess Pages by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Mariano, Anthony) (Entered: 10/14/2021)
10/14/2021	65	ORDER granting <u>50</u> Unopposed MOTION for Leave to File and Participate as Amicus Curiae and Brief Supporting Defendants' Joint Motion to Dismiss Indictment as to DaVita Inc. (1), Kent Thiry (2), by Judge R. Brooke Jackson on 10/14/2021. Text Only Entry (rbjsec. ) (Entered: 10/14/2021)
10/14/2021	66	ORDER granting <u>64</u> Unopposed MOTION for Leave to File Excess Page as to DaVita Inc. (1), Kent Thiry (2), by Judge R. Brooke Jackson on 10/14/2021. Text Only Entry (rbjsec. ) (Entered: 10/14/2021)
10/19/2021	<u>67</u>	RESPONSE in Opposition by USA as to DaVita Inc., Kent Thiry re <u>49</u> Joint MOTION to Dismiss <i>[Defendants' Joint Motion to Dismiss]</i> (Vigen, William) (Entered: 10/19/2021)
10/20/2021	<u>68</u>	BRIEF by Chamber of Commerce of the United States of America, The as to DaVita Inc., Kent Thiry (Streett, Aaron) (Entered: 10/20/2021)
10/22/2021	<u>69</u>	NOTICE OF ATTORNEY APPEARANCE: Thomas Melsheimer appearing for Kent ThiryAttorney Thomas Melsheimer added to party Kent Thiry(pty:dft) (Melsheimer, Thomas) (Entered: 10/22/2021)
10/29/2021	<u>70</u>	Unopposed MOTION for Leave to File Excess Pages <i>[Defendants' Unopposed Motion for Enlargement]</i> by DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Walsh, John) (Entered: 10/29/2021)
11/01/2021	71	ORDER granting <u>70</u> Defendants' Unopposed MOTION for Leave to File Excess Pages. By Judge R. Brooke Jackson on 11/1/2021. Text Only Entry (rbjsec.) (Entered: 11/01/2021)
11/02/2021	<u>72</u>	REPLY TO RESPONSE to Motion by DaVita Inc., Kent Thiry re <u>49</u> Joint MOTION to Dismiss <i>[Defendants' Joint Motion to Dismiss]</i> <i>[Defendants' Joint Reply in Support of Motion to Dismiss]</i> (Walsh, John) (Entered: 11/02/2021)
11/02/2021	<u>73</u>	NOTICE OF ATTORNEY APPEARANCE Sara Michelle Clingan appearing for USA. Attorney Sara Michelle Clingan added to party USA(pty:pla) (Clingan, Sara) (Entered: 11/02/2021)
11/03/2021	<u>74</u>	SUPERSEDING INDICTMENT as to DaVita Inc. (1) count(s) 1s-3s, Kent Thiry (2) count(s) 1s-3s. (Attachments: # <u>1</u> Criminal Information Sheet Thiry, # <u>2</u> Criminal Information Sheet DaVita Inc) (sphil, ) (Entered: 11/04/2021)
11/03/2021	<u>76</u>	RESTRICTED DOCUMENT - Level 4: as to DaVita Inc., and Kent Thiry. (sphil, ) (Entered: 11/04/2021)
11/04/2021	75	MINUTE ORDER as to DaVita Inc., Kent Thiry. Pursuant to <u>74</u> Superseding Indictment, Re-Arrestment is set for 11/17/2021 10:00 AM in Courtroom C204 before Magistrate Judge S. Kato Crews. Text Only Entry. (sphil, ) (Entered: 11/04/2021)

11/08/2021	<u>77</u>	Pursuant to [#75] Minute Order, Summones Issued as to DaVita Inc., Kent Thiry (Attachments: # <u>1</u> Summones Issued as to Kent Thiry)(sphil, ) (Entered: 11/08/2021)
11/08/2021	<u>78</u>	WAIVER [ <i>Defendant DaVita Inc.'s Notice of Waiver of Re-Arraignment Hearing and Entry of Plea of Not Guilty</i> ] by DaVita Inc. (Walsh, John) Modified on 11/9/2021 to add gavel (amont, ). (Entered: 11/08/2021)
11/08/2021	<u>79</u>	WAIVER of Personal Appearance at Arraignment and Entry of Plea of Not Guilty by Kent Thiry (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order Accepting Defendants' Waivers of Re-Arraigment and Entry of Plea of Not Guilty)(Stricklin, Clifford) Modified on 11/9/2021 to add gavel(amont, ). (Entered: 11/08/2021)
11/09/2021	80	MEMORANDUM regarding <u>78</u> MOTION, <u>79</u> MOTION filed by Kent Thiry. Motion(s) <u>78</u> and <u>79</u> are referred to Magistrate Judge S. Kato Crews. By Judge R. Brooke Jackson on 11/9/2021. Text Only Entry (rbjsec. ) (Entered: 11/09/2021)
11/09/2021	81	ORDER by Magistrate Judge S. Kato Crews. The Court construes ECF docs <u>78</u> and <u>79</u> as motions for defendants DaVita Inc. and Kent Thiry to waive personal appearance at the re-arraignment, to enter not guilty pleas, and to vacate the currently set re-arraignment hearings. The motions are GRANTED. Both defendants have been advised of the charges alleged in the superseding indictment and NOT GUILTY pleas are entered on behalf of each defendant. The re-arraignment for each defendant set for 11/17/2021 is VACATED. (amont, ) Text Only Entry (Entered: 11/09/2021)
11/10/2021	<u>82</u>	STIPULATION <i>Regarding Motion to Dismiss Briefing and Oral Argument</i> re <u>67</u> Response in Opposition, <u>49</u> Joint MOTION to Dismiss [ <i>Defendants' Joint Motion to Dismiss</i> ], <u>72</u> Reply to Response by DaVita Inc. as to DaVita Inc., Kent Thiry (Walsh, John) (Entered: 11/10/2021)
11/10/2021	<u>83</u>	Renewed MOTION to Dismiss [ <i>Defendants' Joint Renewed Motion to Dismiss</i> ] by DaVita Inc.. (Walsh, John) (Entered: 11/10/2021)
11/15/2021	84	MINUTE ORDER as to DaVita Inc. and Kent Thiry. Chambers has received multiple inquiries regarding whether or not a public audio line will be available for the Oral Argument set Friday, 11/19/2021 at 9:00 a.m. The Court will hold the hearing in-person for the participants. However, the Court's staff will also connect the public dial-in line for listeners. Those that wish to listen should use dial-in number 1-888-204-5984 and enter access code 7557338# when prompted. By Judge R. Brooke Jackson on 11/15/2021. Text Only Entry (rbjsec. ) (Entered: 11/15/2021)
11/15/2021	<u>85</u>	NOTICE OF ATTORNEY APPEARANCE James J. Fredricks appearing for USA. Attorney James J. Fredricks added to party USA(pty:pla) (Fredricks, James) (Entered: 11/15/2021)
11/18/2021	<u>86</u>	NOTICE of Supplemental Authorities <i>in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit)(Mariano, Anthony) (Entered: 11/18/2021)
11/18/2021	<u>87</u>	RESPONSE by DaVita Inc. re: <u>86</u> Notice of Supplemental Authorities filed by USA [ <i>Defendants' Joint Response to the Government's Notice of Additional Authority</i> ] (Walsh, John) (Entered: 11/18/2021)
11/19/2021	<u>88</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Oral Argument as to DaVita Inc. and Kent Thiry held on 11/19/2021 Court Reporter: Sarah Mitchell. (jdyne, ) (Entered: 11/19/2021)
11/19/2021	<u>89</u>	NOTICE of <i>Defendants' Joint Submission of Transcript from United States v. Hee</i> , by DaVita Inc., Kent Thiry (Attachments: # <u>1</u> Exhibit A - Transcript)(Walsh, John) (Entered: 11/19/2021)

11/22/2021	<u>90</u>	TRANSCRIPT of Oral Argument as to DaVita Inc., Kent Thiry held on November 19, 2021 before Judge Jackson. Pages: 1-70.  <b>NOTICE - REDACTION OF TRANSCRIPTS:</b> Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a> .  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smitc, ) (Entered: 11/22/2021)
11/30/2021	<u>91</u>	NOTICE of Supplemental Authorities <i>in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit A)(Vigen, William) (Entered: 11/30/2021)
12/02/2021	<u>92</u>	RESPONSE by DaVita Inc. re: <u>91</u> Notice of Supplemental Authorities filed by USA [ <i>Defendants' Joint Response to the Government's Notice of Additional Authority</i> ] (Walsh, John) (Entered: 12/02/2021)
12/03/2021	<u>93</u>	BAIL REPORT as to Kent Thiry. (rmaya, ) (Entered: 12/03/2021)
12/03/2021	<u>94</u>	Joint MOTION for James Hearing [ <i>Defendants' Joint Motion for Disclosure of 801(d)(2)(E) Evidence and Request for James Hearing</i> ] by DaVita Inc.. (Walsh, John) (Entered: 12/03/2021)
12/03/2021	<u>95</u>	MOTION For Issuance of Subpoenas <i>and Judicial Determination of Privilege Claims</i> by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 12/03/2021)
12/03/2021	<u>96</u>	MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 12/03/2021)
12/03/2021	<u>97</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Motion, # <u>2</u> Exhibit)(Mariano, Anthony) (Entered: 12/03/2021)
12/07/2021	98	MINUTE ORDER as to DaVita Inc., Kent Thiry re <u>94</u> Joint MOTION for James Hearing [ <i>Defendants' Joint Motion for Disclosure of 801(d)(2)(E) Evidence and Request for James Hearing</i> ] filed by DaVita Inc. A half-day James Hearing is set for 2/24/2022 at 9:00 AM in Courtroom A 902 before Judge R. Brooke Jackson. By Judge R. Brooke Jackson on 12/7/2021. Text Only Entry (rbjsec.) (Entered: 12/07/2021)
12/07/2021	99	ORDER denying <u>95</u> Motion For Issuance of Subpoenas as to DaVita Inc. (1), Kent Thiry (2). Local Rule 7.1(a). By Judge R. Brooke Jackson on 12/7/2021. Text Only Entry (rbjsec.) (Entered: 12/07/2021)
12/07/2021	100	ORDER granting <u>96</u> MOTION for Leave to Restrict as to DaVita Inc. (1), Kent Thiry (2). By Judge R. Brooke Jackson on 12/7/2021. Text Only Entry (rbjsec. ) (Entered: 12/07/2021)
12/07/2021	<u>101</u>	MOTION For Issuance of Subpoenas <i>and Judicial Determination of Privilege Claims</i> by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 12/07/2021)
12/07/2021	<u>102</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit)(Mariano, Anthony) Modified on 12/8/2021 to refer to the public version, docket no. <u>101</u> Motion For Issuance of Subpoenas. (sphil, ). (Entered: 12/07/2021)
12/08/2021	103	MINUTE ORDER as to DaVita Inc., Kent Thiry re <u>101</u> MOTION For Issuance of Subpoenas <i>and Judicial Determination of Privilege Claims</i> filed by USA. Regarding ECF

		No. 101, defendant is directed to submit the documents to the Court for in camera review to the extent necessary after counsel considers this minute order. The facts that a label such as need legal advice is placed on a document or that an email is copied to an attorney does not make the document privileged The privilege applies to communications in which the client is seeking legal advice from an attorney, and to communications when the attorney is providing the legal advice to the client, where nothing has occurred that would waive the privilege as to those communications. The privilege is both very important and quite narrow. By Judge R. Brooke Jackson on 12/8/2021. Text Only Entry (rbjsec. ) (Entered: 12/08/2021)
12/13/2021	<u>104</u>	NOTICE OF ATTORNEY APPEARANCE Terence Andrew Parker appearing for USA. Attorney Terence Andrew Parker added to party USA(pty:pla) (Parker, Terence) (Entered: 12/13/2021)
12/15/2021	<u>105</u>	Unopposed MOTION for Leave to File Excess Pages by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Mariano, Anthony) (Entered: 12/15/2021)
12/17/2021	<u>106</u>	MOTION to Exclude <i>Defendants' Expert</i> by USA as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit Expert Disclosure)(Vigen, William) (Entered: 12/17/2021)
12/17/2021	<u>107</u>	MOTION in Limine <i>Omnibus Motions in Limine</i> by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 12/17/2021)
12/17/2021	<u>108</u>	Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Exclude Lay Testimony Regarding Mr. Thiry's or Any DaVita Representative's Intent, Knowledge, and State of Mind</i> ] by DaVita Inc.. (Walsh, John) (Entered: 12/17/2021)
12/17/2021	<u>109</u>	Joint MOTION in Limine [ <i>Defendants' Joint Motion for a Substantive Preliminary Jury Instruction</i> ] by DaVita Inc.. (Walsh, John) (Entered: 12/17/2021)
12/17/2021	<u>110</u>	Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Exclude Compensation and Financial Circumstances Evidence</i> ] by DaVita Inc.. (Walsh, John) (Entered: 12/17/2021)
12/17/2021	<u>111</u>	Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Preclude the Division from Characterizing the Alleged Conspiracies as Anything Other Than Agreements to "Allocate" Employees by "Not Soliciting" Them, as Charged in the Superseding Indictment</i> ] by DaVita Inc.. (Walsh, John) (Entered: 12/17/2021)
12/20/2021	<u>112</u>	MOTION to Withdraw as Attorney by Tracey F. Milich by DaVita Inc.. (Milich, Tracey) (Entered: 12/20/2021)
12/20/2021	113	ORDER granting <u>112</u> Motion to Withdraw as Attorney. Tracey F Milich withdrawn from case as to DaVita Inc. (1). By Judge R. Brooke Jackson on 12/20/2021. Text Only Entry (rbjsec.) (Entered: 12/20/2021)
12/20/2021	<u>114</u>	RESPONSE to Motion by DaVita Inc. re <u>101</u> MOTION For Issuance of Subpoenas <i>and Judicial Determination of Privilege Claims [Response to the United States' Motion for a Rule 17 (c) Subpoena and Judicial Determination of Privilege Claims]</i> (Walsh, John) (Entered: 12/20/2021)
12/20/2021	<u>115</u>	Unopposed MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 12/20/2021)
12/20/2021	<u>116</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 12/20/2021)
12/20/2021	<u>117</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit

		Exhibit to Response #114, # <u>2</u> Exhibit Exhibit to Response #114, # <u>3</u> Exhibit Exhibit to Response #114, # <u>4</u> Exhibit Exhibit to Response #114, # <u>5</u> Exhibit Exhibit to Response #114, # <u>6</u> Exhibit Exhibit to Response #114, # <u>7</u> Exhibit Exhibit to Response #114, # <u>8</u> Exhibit Exhibit to Response #114, # <u>9</u> Exhibit Exhibit to Response #114, # <u>10</u> Exhibit Exhibit to Response #114, # <u>11</u> Exhibit Exhibit to Response #114, # <u>12</u> Exhibit Exhibit to Response #114)(Walsh, John) (Entered: 12/20/2021)
12/20/2021	<u>118</u>	RESTRICTED DOCUMENT - Level 3: by DaVita Inc.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Privileged Document, # <u>3</u> Privileged Document, # <u>4</u> Privileged Document, # <u>5</u> Privileged Document, # <u>6</u> Privileged Document, # <u>7</u> Privileged Document, # <u>8</u> Privileged Document, # <u>9</u> Privileged Document, # <u>10</u> Privileged Document, # <u>11</u> Privileged Document, # <u>12</u> Privileged Document, # <u>13</u> Privileged Document, # <u>14</u> Privileged Document)(Walsh, John) (Entered: 12/20/2021)
12/22/2021	119	ORDER granting <u>105</u> Motion for Leave to File Excess Pages as to DaVita Inc. (1), Kent Thiry (2). By Judge R. Brooke Jackson on 12/22/2021. Text Only Entry (rbjsec. ) (Entered: 12/22/2021)
12/22/2021	<u>120</u>	Unopposed MOTION to Withdraw as Attorney by Heather Steiner Nyong'o by DaVita Inc.. (Walsh, John) (Entered: 12/22/2021)
12/23/2021	121	ORDER granting <u>120</u> Unopposed MOTION to Withdraw as Attorney by Heather Steiner Nyong'o. Heather Steiner Nyong'o is withdrawn from case as to DaVita Inc. (1), by Judge R. Brooke Jackson on 12/23/2021. Text Only Entry (rbjsec, ) (Entered: 12/23/2021)
01/14/2022	<u>122</u>	RESPONSE in Opposition by USA as to DaVita Inc., Kent Thiry re <u>111</u> Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Preclude the Division from Characterizing the Alleged Conspiracies as Anything Other Than Agreements to "Allocate" Employees by "Not Soliciting" Them, as Charged (Clingan, Sara)</i> ] (Entered: 01/14/2022)
01/14/2022	<u>123</u>	RESPONSE in Opposition by USA as to DaVita Inc., Kent Thiry re <u>108</u> Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Exclude Lay Testimony Regarding Mr. Thiry's or Any DaVita Representative's Intent, Knowledge, and State of Mind</i> ] (Vigen, William) (Entered: 01/14/2022)
01/14/2022	<u>124</u>	RESPONSE in Opposition by USA as to DaVita Inc., Kent Thiry re <u>109</u> Joint MOTION in Limine [ <i>Defendants' Joint Motion for a Substantive Preliminary Jury Instruction</i> ] (Parker, Terence) (Entered: 01/14/2022)
01/14/2022	<u>125</u>	RESPONSE in Opposition by USA as to DaVita Inc., Kent Thiry re <u>110</u> Joint MOTION in Limine [ <i>Defendants' Joint Motion in Limine to Exclude Compensation and Financial Circumstances Evidence</i> ] (Mariano, Anthony) (Entered: 01/14/2022)
01/14/2022	<u>126</u>	RESPONSE in Opposition by DaVita Inc. re <u>106</u> MOTION to Exclude <i>Defendants' Expert [Defendants' Joint Opposition to the Division's Motion to Exclude Expert Testimony and to Order New Expert Disclosure for Non-Excluded Testimony]</i> (Attachments: # <u>1</u> Exhibit A)(Walsh, John) (Entered: 01/14/2022)
01/14/2022	<u>127</u>	RESPONSE in Opposition by DaVita Inc. re <u>107</u> MOTION in Limine <i>Omnibus Motions in Limine [Defendants' Joint Opposition to the Division's Omnibus Motions in Limine]</i> (Walsh, John) (Entered: 01/14/2022)
01/26/2022	<u>128</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit A - James Log, # <u>2</u> Exhibit B - Co-Conspirator Guide)(Clingan, Sara) (Entered: 01/26/2022)
01/26/2022	<u>129</u>	Unopposed MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Clingan, Sara) (Entered: 01/26/2022)

01/26/2022	<u>130</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Clingan, Sara) (Entered: 01/26/2022)
01/27/2022	<u>131</u>	ORDER granting <u>129</u> Unopposed MOTION for Leave to Restrict as to DaVita Inc. (1), Kent Thiry (2), by Judge R. Brooke Jackson on 1/27/2022. Text Only Entry (rbjsec. ) (Entered: 01/27/2022)
01/28/2022	<u>132</u>	ORDER denying <u>49</u> Motion to Dismiss; denying <u>83</u> Motion to Dismiss by Judge R. Brooke Jackson on 1/28/22. (jdyne, ) (Entered: 01/28/2022)
01/31/2022	<u>133</u>	Joint MOTION to Modify [ <i>Joint Motion and (Proposed) Order Regarding Case Schedule</i> ] by DaVita Inc.. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Walsh, John) (Entered: 01/31/2022)
02/04/2022	<u>134</u>	ORDER MODIFYING CASE SCHEDULE by Judge R. Brooke Jackson on 2/4/22. (jdyne, ) (Entered: 02/04/2022)
02/04/2022	<u>135</u>	****WITHDRAWN****RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Walsh, John) Modified on 3/21/2022 to indicate document is withdrawn pursuant to ORDER issued 3/21/2022 and ECF No. <u>207</u> (jdyne, ). (Entered: 02/04/2022)
02/04/2022	<u>136</u>	Unopposed MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 02/04/2022)
02/04/2022	<u>137</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 02/04/2022)
02/07/2022	<u>138</u>	Supplemental MOTION in Limine <i>To Admit Evidence of Defendants' Practice of Falsely Invoking the Attorney-Client Privilege</i> by USA as to DaVita Inc., Kent Thiry. (Clingan, Sara) (Entered: 02/07/2022)
02/07/2022	<u>139</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Clingan, Sara) (Entered: 02/07/2022)
02/07/2022	<u>140</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit Brief In Support of Motion to Restrict)(Clingan, Sara) (Entered: 02/07/2022)
02/07/2022	<u>141</u>	Supplemental MOTION in Limine <i>To Exclude Evidence of Attorney Proffers</i> by USA as to DaVita Inc., Kent Thiry. (Mariano, Anthony) (Entered: 02/07/2022)
02/07/2022	<u>142</u>	Unopposed MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/07/2022)
02/07/2022	<u>143</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/07/2022)
02/07/2022	<u>144</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Lewis, Megan) (Entered: 02/07/2022)
02/07/2022	<u>145</u>	Supplemental MOTION in Limine <i>to Exclude Insufficient and Irrelevant Evidence for an Ancillarity Defense</i> by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/07/2022)
02/07/2022	<u>146</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Walsh, John) (Entered: 02/07/2022)
02/07/2022	<u>147</u>	Unopposed MOTION for Leave to Restrict by DaVita Inc. as to DaVita Inc., Kent Thiry.

		(Walsh, John) (Entered: 02/07/2022)
02/07/2022	<u>148</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Walsh, John) (Entered: 02/07/2022)
02/10/2022	149	ORDER granting <u>94</u> Defendants' Joint Motion for Disclosure of 801(d)(2)(E) Evidence and Request for James Hearing. (1). A James Hearing is set for 2/24/2022 at 9:00 a.m. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/10/2022	150	ORDER granting in part and denying in part <u>115</u> Unopposed MOTION for Leave to Restrict. The request for restricted access is denied as to ECF No. 116 and ECF No. 117. Restricted access as requested is granted as to ECF Nos. 117-1 through 117-12; 118; and 118-1 through 118-14. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/10/2022	151	ORDER granting in part and denying in part <u>136</u> Unopposed MOTION for Leave to Restrict. Restricted access is granted as to ECF No. 135 but denied as to ECF No. 137. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/10/2022	152	ORDER Granting in part and denying in part <u>140</u> Unopposed Motion to Restrict - Restricted Document - Level 2. Granted as to ECF No. 139 but denied as to ECF No. 140 and 140-1. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/10/2022	153	ORDER granting in part and denying in part <u>142</u> Unopposed MOTION for Leave to Restrict. Restricted access is granted as to ECF Nos. 144-1 and 144-2. However, restricted access is denied as to ECF Nos. 143 and 144. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/10/2022	154	ORDER granting in part and denying in part <u>147</u> Unopposed MOTION for Leave to Restrict. Restricted access is granted as to ECF Nos. 146 and exhibits 146-1 through 146-4. Restricted access is denied as to ECF No. 148. By Judge R. Brooke Jackson on 2/10/2022. Text Only Entry (rbjsec, ) (Entered: 02/10/2022)
02/11/2022	155	MINUTE ORDER as to DaVita Inc. and Kent Thiry. The General Public and Media may listen to the James Hearing set 2/24/2022 at 9:00 a.m. and the Motions Hearing set 3/3/2022 at 9:00 a.m. by dialing toll free 1-888-204-5984 and entering access code 7557338# when prompted. Users are directed to mute your phone upon entry to the conference. By Judge R. Brooke Jackson on 2/11/2022. Text Only Entry (rbjsec, ) (Entered: 02/11/2022)
02/16/2022	<u>156</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Walsh, John) (Entered: 02/16/2022)
02/16/2022	<u>157</u>	MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 02/16/2022)
02/16/2022	<u>158</u>	BRIEF by DaVita Inc. re: <u>157</u> MOTION for Leave to Restrict filed by DaVita Inc., <u>156</u> Restricted Document - Level 2 (Walsh, John) (Entered: 02/16/2022)
02/17/2022	<u>159</u>	MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/17/2022)
02/17/2022	<u>160</u>	RESTRICTED DOCUMENT - Level 3: by USA as to DaVita Inc., Kent Thiry (Lewis, Megan) (Entered: 02/17/2022)
02/17/2022	<u>161</u>	RESTRICTED DOCUMENT - Level 3: by USA as to DaVita Inc., Kent Thiry (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Lewis, Megan) (Entered: 02/17/2022)

02/17/2022	<u>162</u>	NOTICE OF ATTORNEY APPEARANCE: Juanita Rose Brooks appearing for Kent ThiryAttorney Juanita Rose Brooks added to party Kent Thiry(pty:dft) (Brooks, Juanita) (Entered: 02/17/2022)
02/18/2022	<u>163</u>	Unopposed MOTION for Leave to File Excess Pages by DaVita Inc. as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Proposed Order)(Walsh, John) (Entered: 02/18/2022)
02/18/2022	<u>164</u>	ORDER granting <u>157</u> MOTION for Leave to Restrict as to DaVita Inc. (1), by Judge R. Brooke Jackson on 2/18/2022. Text Only Entry (rbjsec, ) (Entered: 02/18/2022)
02/18/2022	<u>165</u>	ORDER granting in part and denying in part <u>159</u> MOTION for Leave to Restrict as to DaVita Inc. (1), Kent Thiry (2). Granted as to ECF No. 161 and its exhibits. Denied as to ECF No. 160. By Judge R. Brooke Jackson on 2/18/2022. Text Only Entry (rbjsec, ) (Entered: 02/18/2022)
02/18/2022	<u>166</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit A)(Lewis, Megan) (Entered: 02/18/2022)
02/18/2022	<u>167</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/18/2022)
02/18/2022	<u>168</u>	Unopposed MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/18/2022)
02/18/2022	<u>169</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 02/18/2022)
02/22/2022	<u>170</u>	ORDER granting <u>163</u> Motion for Leave to File Excess Pages as to DaVita Inc. (1), Kent Thiry (2). However, the Court does not typically receive memoranda as such. The Court will review the proposed instructions in order and attempt to return them to counsel with the Court's annotations in Track Changes before the conference. What is likely the most helpful is to pair the disputed instructions and visibly highlight what the differences are, with a brief indication of the points and authorities supporting your respective positions. If you feel compelled to spell out your positions in memoranda, I might or might not have time to read them. The individuals on your respective teams should bear the following in mind. First, you should want the instructions to be correct. This is not the place to win the battle about the wording of an instruction but lose the war by inducing the Court to go with a version that will be reversed on appeal. Your talents should be devoted to effective advocacy at trial with a correct set of instructions. Second, you have teams at your disposal, but the Court is one person who has multiple cases to deal with. Please exercise your best efforts to reach agreement on as many of the substantive instructions as you can. By Judge R. Brooke Jackson on 2/22/2022. Text Only Entry (rbjsec, ) (Entered: 02/22/2022)
02/22/2022	<u>171</u>	Unopposed MOTION for Leave to Restrict by USA as to DaVita Inc., Kent Thiry. (Parker, Terence) (Entered: 02/22/2022)
02/22/2022	<u>172</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Parker, Terence) (Entered: 02/22/2022)
02/22/2022	<u>173</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc., Kent Thiry. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Parker, Terence) (Entered: 02/22/2022)
02/22/2022	<u>174</u>	Proposed Jury Instructions [ <i>Joint Set of Proposed Final Jury Instructions</i> ] by DaVita Inc. (Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>175</u>	BRIEF by DaVita Inc. re: <u>174</u> Proposed Jury Instructions filed by DaVita Inc. (Walsh, John) (Entered: 02/22/2022)



02/22/2022	<u>176</u>	RESPONSE in Opposition by DaVita Inc. re <u>138</u> Supplemental MOTION in Limine <i>To Admit Evidence of Defendants' Practice of Falsely Invoking the Attorney-Client Privilege [Defendants' Joint Opposition to the Division's Supplemental Motion in Limine to Admit Evidence of Defendants' Purported Practice of Falsely Invoking the Attorney-Client Privilege]</i> (Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>177</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>178</u>	MEMORANDUM in Support by USA as to DaVita Inc., Kent Thiry re <u>174</u> Proposed Jury Instructions (Lewis, Megan) (Entered: 02/22/2022)
02/22/2022	<u>179</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>180</u>	RESPONSE in Opposition by DaVita Inc. re <u>145</u> Supplemental MOTION in Limine <i>to Exclude Insufficient and Irrelevant Evidence for an Ancillarity Defense [Defendants' Joint Opposition to the Division's Supplemental Motion in Limine to Exclude Evidence of Ancillarity]</i> (Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>181</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>182</u>	RESPONSE in Opposition by DaVita Inc. re <u>159</u> MOTION for Leave to Restrict <i>[Defendants' Opposition to the Division's Ex Parte Motion for In Camera Giglio Review]</i> (Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>183</u>	MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 02/22/2022)
02/22/2022	<u>184</u>	BRIEF by DaVita Inc. re: <u>183</u> MOTION for Leave to Restrict filed by DaVita Inc. (Walsh, John) (Entered: 02/22/2022)
02/23/2022	<u>185</u>	ORDER granting in part and denying in part <u>168</u> Unopposed MOTION for Leave to Restrict as to DaVita Inc. (1), Kent Thiry (2). Denied as to ECF Nos. <u>167</u> and <u>169</u> . Granted as to ECF No. <u>166</u> . By Judge R. Brooke Jackson on 2/23/2022. Text Only Entry (rbjsec. ) (Entered: 02/23/2022)
02/23/2022	<u>186</u>	ORDER granting in part and denying in part <u>171</u> Unopposed MOTION for Leave to Restrict as to DaVita Inc. (1), Kent Thiry (2). Denied as to ECF No. <u>172</u> . Granted as to ECF No. <u>173</u> . By Judge R. Brooke Jackson on 2/23/2022. Text Only Entry (rbjsec.) (Entered: 02/23/2022)
02/23/2022	<u>187</u>	Joint MOTION for Jury Questionnaire <i>[Joint Motion of the Parties for a Brief Questionnaire to Potential Jurors]</i> by DaVita Inc., Kent Thiry as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order (PDF Only))(Walsh, John) (Entered: 02/23/2022)
02/24/2022	<u>188</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: James Hearing as to DaVita Inc., Kent Thiry held on 2/24/2022. Court Reporter: Sarah Mitchell. (jdyne, ) (Entered: 02/24/2022)
02/26/2022	<u>189</u>	TRANSCRIPT of James Hearing as to DaVita Inc., Kent Thiry held on February 24, 2022 before Judge Jackson. Pages: 1-115.  <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the</b>

		<p><b>Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smite, ) (Entered: 02/26/2022)</p>
02/27/2022	<u>190</u>	STATEMENT <i>[Joint Conference Statement]</i> by Defendants DaVita Inc., Kent Thiry (Walsh, John) (Entered: 02/27/2022)
03/01/2022	<u>191</u>	NOTICE OF ATTORNEY APPEARANCE: Scott Cashion Thomas appearing for Kent ThiryAttorney Scott Cashion Thomas added to party Kent Thiry(pty:dft) (Thomas, Scott) (Entered: 03/01/2022)
03/02/2022	<u>192</u>	NOTICE <i>[Defendants' Notice Identifying Specific James Log Entries for Particular Objection]</i> by DaVita Inc. (Walsh, John) (Entered: 03/02/2022)
03/02/2022	<u>193</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 03/02/2022)
03/02/2022	<u>194</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 03/02/2022)
03/02/2022	<u>195</u>	Unopposed MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 03/02/2022)
03/02/2022	<u>196</u>	BRIEF by DaVita Inc. re: <u>195</u> Unopposed MOTION for Leave to Restrict filed by DaVita Inc. (Walsh, John) (Entered: 03/02/2022)
03/03/2022	<u>197</u>	<b>Disregard-docketed in wrong case</b> ORDER granting in part <u>187</u> Joint MOTION for Jury Questionnaire [Joint Motion of the Parties for a Brief Questionnaire to Potential Jurors]. The parties are directed to delete the questions about occupation, because the Court will be asking the board questions that include the occupation questions. Otherwise, the questionnaire is approved. Please email the proposed juror questionnaire with the requested deletions to Chamber as soon as possible. By Judge R. Brooke Jackson on 3/3/2022. Text Only Entry (rbjsec. ) Modified on 3/3/2022 order docketed in the wrong case. (sphil, ). (Entered: 03/03/2022)
03/03/2022	<u>198</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Motion Hearing as to DaVita Inc. and Kent Thiry held on 3/3/2022. Motions are TAKEN UNDER ADVISEMENT, written order to issue. Court Reporter: Kevin Carlin. (jdyne, ) (Entered: 03/03/2022)
03/04/2022	<u>199</u>	STIPULATION <i>No. 1</i> by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 03/04/2022)
03/06/2022	<u>200</u>	<p>TRANSCRIPT of Motions Hearing as to DaVita Inc., Kent Thiry held on 03/03/2022 before Judge Jackson. Pages: 1-127.</p> <p><b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (kcarl, ) (Entered: 03/06/2022)</p>

03/14/2022	<u>201</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 03/14/2022)
03/14/2022	<u>202</u>	NOTICE [ <i>Defendants' Notice of Submission of Expert Report by Dr. Pierre-Yves Cremieux</i> ] re <u>201</u> Restricted Document - Level 2 by DaVita Inc. (Walsh, John) (Entered: 03/14/2022)
03/14/2022	<u>203</u>	Unopposed MOTION for Leave to Restrict by DaVita Inc.. (Walsh, John) (Entered: 03/14/2022)
03/14/2022	<u>204</u>	BRIEF by DaVita Inc. re: <u>203</u> Unopposed MOTION for Leave to Restrict filed by DaVita Inc. (Walsh, John) (Entered: 03/14/2022)
03/15/2022	205	ORDER granting <u>203</u> Unopposed MOTION for Leave to Restrict as to DaVita Inc. (1). By Judge R. Brooke Jackson on 3/15/2022. Text Only Entry (rbjsec, ) (Entered: 03/15/2022)
03/15/2022	<u>206</u>	NOTICE <i>Joint Stipulation Regarding Jury Instructions</i> by USA as to DaVita Inc., Kent Thiry (Parker, Terence) (Entered: 03/15/2022)
03/17/2022	<u>207</u>	MOTION to Withdraw Document [ <i>Defendants' Withdrawal of Their Motion to Compel the Production of Brady Material [Dkt. No. 135]</i> ] by DaVita Inc.. (Walsh, John) (Entered: 03/17/2022)
03/18/2022	209	MINUTE ORDER as to DaVita Inc. and Kent Thiry. <u>207</u> MOTION to Withdraw Document - [ <i>Defendants' Withdrawal of Their Motion to Compel the Production of Brady Material</i> ] [Dkt. No. 135] is GRANTED. <u>135</u> Motion to Compel the Production of Brady Material-Restricted is WITHDRAWN. By Judge R. Brooke Jackson on 3/18/2022. Text Only Entry (rbjsec, ) (Entered: 03/18/2022)
03/21/2022	<u>210</u>	ORDER ON PENDING MOTIONS by Judge R. Brooke Jackson on 3/21/22. (Attachments: # <u>1</u> juror questionnaire) (jdyne, ) (Entered: 03/21/2022)
03/21/2022	<u>211</u>	ORDER as to DaVita Inc., Kent Thiry re <u>192</u> Objections filed by DaVita Inc. by Judge R. Brooke Jackson on 3/21/22. (jdyne, ) (Entered: 03/21/2022)
03/24/2022	<u>212</u>	STIPULATION No. 2 by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 03/24/2022)
03/24/2022	<u>213</u>	MOTION for Daubert Hearing <i>and To Exclude Opinions</i> by USA as to DaVita Inc., Kent Thiry. (Vigen, William) (Entered: 03/24/2022)
03/25/2022	<u>214</u>	ORDER RESOLVING DISPUTES ON PROPOSED JURY INSTRUCTIONS as to DaVita Inc., Kent Thiry re <u>175</u> Brief filed by DaVita Inc., <u>178</u> Memorandum in Support filed by USA by Judge R. Brooke Jackson on 3/25/22. (jdyne, ) (Entered: 03/25/2022)
03/25/2022	<u>215</u>	WITNESS LIST by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 03/25/2022)
03/25/2022	<u>216</u>	EXHIBIT LIST by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 03/25/2022)
03/25/2022	<u>217</u>	EXHIBIT LIST by DaVita Inc., Kent Thiry as to DaVita Inc. (Walsh, John) (Entered: 03/25/2022)
03/25/2022	<u>218</u>	WITNESS LIST by DaVita Inc., Kent Thiry as to DaVita Inc. (Walsh, John) (Entered: 03/25/2022)
03/25/2022	<u>219</u>	BAIL STATUS REPORT-re: <u>93</u> as to Kent Thiry. (aarag, ) (Entered: 03/25/2022)
03/25/2022	<u>220</u>	NOTICE OF ATTORNEY APPEARANCE: Alex C. Wolens appearing for Kent

		ThiryAttorney Alex C. Wolens added to party Kent Thiry(pty:dft) (Wolens, Alex) (Entered: 03/25/2022)
03/26/2022	<u>221</u>	ORDER as to DaVita Inc., Kent Thiry: The Jury Trial currently set to commence 3/28/2022 at 9:00 a.m. is VACATED and RESET to commence on 4/4/2022 at 9:00 AM in Courtroom A 902 before Judge R. Brooke Jackson. by Judge R. Brooke Jackson on 3/26/22. Text Only Entry (jdyne) (Entered: 03/26/2022)
03/29/2022	<u>222</u>	RESPONSE in Opposition by DaVita Inc., Kent Thiry as to DaVita Inc. re <u>213</u> MOTION for Daubert Hearing <i>and To Exclude Opinions [Defendants' Joint Opposition to the Government's Renewed Motion to Exclude Expert Testimony]</i> (Walsh, John) (Entered: 03/29/2022)
03/30/2022	<u>223</u>	Proposed Verdict Form as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 03/30/2022)
03/31/2022	<u>224</u>	MOTION in Limine by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 03/31/2022)
04/01/2022	<u>225</u>	EXHIBIT LIST by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 04/01/2022)
04/01/2022	<u>226</u>	EXHIBIT LIST by DaVita Inc., Kent Thiry as to DaVita Inc. (Walsh, John) (Entered: 04/01/2022)
04/01/2022	<u>227</u>	EXHIBIT LIST <i>[Defendants' Trial Exhibit List]</i> by DaVita Inc., Kent Thiry as to DaVita Inc. (Walsh, John) (Entered: 04/01/2022)
04/01/2022	<u>228</u>	ORDER denying <u>224</u> Motion in Limine as to DaVita Inc. and Kent Thiry. This motion is untimely, as it was filed too late for the defendants to have a reasonable opportunity to respond. Moreover, the time to file pretrial motions and briefs has passed. The Court stands by its previous ruling that defendants' ignorance of the law is not relevant. The Court expects defendants and their counsel to honor the letter and spirit of that ruling and not to make comments or ask questions inconsistent with that ruling. by Judge R. Brooke Jackson on 4/1/22. Text Only Entry (rbj) Modified on 4/1/2022 to add defedant Kent Thiry (jdyne, ). (Entered: 04/01/2022)
04/03/2022	<u>229</u>	Proposed Jury Instructions <i>Parties' Revised Joint Set of Proposed Final Jury Instructions</i> by DaVita Inc., Kent Thiry (Crump, Daniel) (Entered: 04/03/2022)
04/03/2022	<u>230</u>	EXHIBIT LIST by USA as to DaVita Inc., Kent Thiry (Vigen, William) (Entered: 04/03/2022)
04/04/2022	<u>231</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day One held on 4/4/2022 as to DaVita Inc., Kent Thiry. Jury selected, opening statements given, trial continued. Court Reporter: Terri Lindblom. (jdyne, ) (Entered: 04/04/2022)
04/04/2022	<u>232</u>	Juror Strike Sheet- Unredacted - Restricted Doc. - Level 4 (jdyne, ) (Entered: 04/04/2022)
04/04/2022	<u>233</u>	Juror Strike Sheet -redacted as to DaVita Inc., Kent Thiry (jdyne, ) Modified on 4/4/2022 to add redacted language in docket text(jdyne, ). (Entered: 04/04/2022)
04/04/2022	<u>234</u>	Preliminary Jury Instruction as to DaVita Inc., Kent Thiry (jdyne, ) (Entered: 04/04/2022)
04/04/2022	<u>235</u>	EXHIBIT LIST by DaVita Inc., Kent Thiry (Crump, Daniel) (Entered: 04/04/2022)
04/05/2022	<u>236</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Two as to DaVita Inc., Kent Thiry held on 4/5/2022. Evidence and testimony presented,

		trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror question no. 1) (jdyne, ) (Entered: 04/05/2022)
04/06/2022	<u>237</u>	MOTION to Supplement <i>Jury Instruction</i> by USA as to DaVita Inc., Kent Thiry. (Lewis, Megan) (Entered: 04/06/2022)
04/06/2022	<u>238</u>	BRIEF in Opposition by DaVita Inc., Kent Thiry to <u>237</u> MOTION to Supplement <i>Jury Instruction</i> (Crump, Daniel) (Entered: 04/06/2022)
04/06/2022	<u>239</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Three as to DaVita Inc., Kent Thiry held on 4/6/2022. Evidence and testimony presented, trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 2-10) (jdyne, ) (Entered: 04/06/2022)
04/07/2022	<u>240</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Four as to DaVita Inc., Kent Thiry held on 4/7/2022. Evidence and testimony presented, trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 11-21) (jdyne, ) (Entered: 04/07/2022)
04/08/2022	<u>241</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Five as to DaVita Inc., Kent Thiry held on 4/8/2022. Evidence and testimony given, trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 21-29) (jdyne, ) (Entered: 04/08/2022)
04/08/2022	<u>242</u>	RESPONSE by DaVita Inc., Kent Thiry ( <i>Defendants' Response to the Court's Proposed Market Allocation Jury Instruction</i> ), (Attachments: # <u>1</u> Exhibit A - Proposals, # <u>2</u> Exhibit B - Proposed Redline)(Walsh, John) (Entered: 04/08/2022)
04/10/2022	<u>243</u>	REPLY by USA as to DaVita Inc., Kent Thiry to <u>242</u> Response to the Court's Proposed Market Allocation Jury Instruction (Lewis, Megan) (Entered: 04/10/2022)
04/10/2022	<u>244</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Walsh, John) (Entered: 04/10/2022)
04/10/2022	<u>245</u>	MOTION for Leave to Restrict by DaVita Inc., Kent Thiry as to DaVita Inc.. (Walsh, John) (Entered: 04/10/2022)
04/10/2022	<u>246</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 04/10/2022)
04/10/2022	<u>247</u>	RESPONSE by USA as to DaVita Inc., Kent Thiry re: <u>244</u> Restricted Document - Level 2 (Attachments: # <u>1</u> Exhibit Excerpts of Transcript)(Clingan, Sara) (Entered: 04/10/2022)
04/10/2022	<u>248</u>	REPLY by DaVita Inc., Kent Thiry to <u>242</u> Response, <u>243</u> Reply <i>Defendants' Reply to the United States' Brief on Jury Instructions</i> (Crump, Daniel) (Entered: 04/10/2022)
04/11/2022	<u>249</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Six as to DaVita Inc., Kent Thiry held on 4/11/2022. Daubert Hearing held, evidence and testimony presented, trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 30-40) (jdyne, ) (Entered: 04/11/2022)
04/11/2022	<u>250</u>	TRIAL BRIEF by DaVita Inc., Kent Thiry (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C)(Crump, Daniel) (Entered: 04/11/2022)
04/12/2022	<u>251</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Seven as to DaVita Inc., Kent Thiry held on 4/12/2022. Evidence and testimony presented, trial continued. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 41-44) (jdyne, ) (Entered: 04/12/2022)
04/12/2022	<u>252</u>	Proposed Jury Instructions by DaVita Inc., Kent Thiry (Crump, Daniel) (Entered: 04/12/2022)

		04/12/2022)
04/13/2022	<u>253</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Eight as to DaVita Inc., Kent Thiry held on 4/13/2022. Evidence and testimony presented, closing arguments given, jury to begin deliberations. Court Reporter: Terri Lindblom. (Attachments: # <u>1</u> juror questions nos. 45-60) (jdyne, ) (Entered: 04/13/2022)
04/13/2022	<u>254</u>	Jury Instructions given 4/13/22 as to DaVita Inc., Kent Thiry (jdyne, ) (Entered: 04/13/2022)
04/14/2022	<u>255</u>	MOTION for Leave to Restrict by DaVita Inc., Kent Thiry as to DaVita Inc.. (Walsh, John) (Entered: 04/14/2022)
04/14/2022	<u>256</u>	RESTRICTED DOCUMENT - Level 2: as to DaVita Inc.. (Walsh, John) (Entered: 04/14/2022)
04/14/2022	<u>257</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Nine as to DaVita Inc., Kent Thiry held on 4/14/2022. Jury deliberations held, trial continued. Court Reporter: Sarah Mitchell. (Attachments: # <u>1</u> jury deliberation question and answer) (jdyne, ) (Entered: 04/14/2022)
04/15/2022	258	ORDER finding as moot <u>237</u> MOTION to Supplement Jury Instruction as to DaVita Inc. (1), Kent Thiry (2). By Judge R. Brooke Jackson on 4/15/2022. Text Only Entry (rbjsec.) (Entered: 04/15/2022)
04/15/2022	259	MINUTE ORDER as to DaVita Inc., Kent Thiry re <u>244</u> Restricted Document - Level 2. Defendants motion to exclude testimony. Granted in part, moot in part. The Court orally granted the motion as it related to presenting this testimony in the government's case in chief. This witness was not called as a rebuttal witness. By Judge R. Brooke Jackson on 4/15/2022. Text Only Entry (rbjsec. ) (Entered: 04/15/2022)
04/15/2022	260	ORDER granting <u>245</u> Motion for Leave to Restrict. By Judge R. Brooke Jackson on 4/15/2022. Text Only Entry (rbjsec. ) (Entered: 04/15/2022)
04/15/2022	261	ORDER granting <u>255</u> DEFENDANTS MOTION FOR LEAVE TO RESTRICT PUBLIC ACCESS TO A PORTION OF THE TRIAL TRANSCRIPT DATED APRIL 8, 2022. By Judge R. Brooke Jackson on 4/15/2022. Text Only Entry (rbjsec.) (Entered: 04/15/2022)
04/15/2022	<u>262</u>	MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Jury Trial Day Ten as to DaVita Inc., Kent Thiry held on 4/15/2022. Jury Verdict as to DaVita Inc. (1) : Not Guilty on Count 1s-3s and Kent Thiry (2): Not Guilty on Count 1s-3s. Court Reporter: Sarah Mitchell. (jdyne, ) (Entered: 04/15/2022)
04/15/2022	<u>263</u>	Jury Verdict Un-Redacted - Level 4 - Viewable by Court Only (jdyne, ) (Entered: 04/15/2022)
04/15/2022	<u>264</u>	JURY VERDICT as to DaVita Inc., Kent Thiry - redacted (jdyne, ) (Entered: 04/15/2022)
04/15/2022	<u>265</u>	ORDER regarding juror pay by Judge R. Brooke Jackson on 4/15/22. (jdyne, ) (Entered: 04/15/2022)

