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 14 *Billings, and Matthew O. Maddox and on behalf of*
 15 *Stephen Cootey*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 JOHN V. FERRIS and JOANN M. FERRIS,)
 19 Individually and on Behalf of All Others)
 20 Similarly Situated,)

21 Plaintiffs,)

22 v.)

23 WYNN RESORTS LIMITED, STEPHEN)
 24 A. WYNN, CRAIG SCOTT BILLINGS,)
 25 STEPHEN COOTEY, and MATTHEW O.)
 26 MADDOX,)

27 Defendants.)

28 Case No. 2:18-CV-00479-GMN-CWH

The Honorable Gloria M. Navarro

STIPULATION AND [PROPOSED]
ORDER EXTENDING DEFENDANTS'
TIME TO ANSWER OR OTHERWISE
RESPOND TO THE COMPLAINT AND
CONTINUING CASE MANAGEMENT
CONFERENCE AND ASSOCIATED
DEADLINES

(FIRST REQUEST)

{00274411;1 }

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANTS' TIME TO ANSWER OR
OTHERWISE RESPOND TO THE COMPLAINT AND CONTINUING CASE MANAGEMENT CONFERENCE
AND ASSOCIATED DEADLINES

1 This Stipulation is entered into by and among the parties to this action.

2 WHEREAS, on February 20, 2018, Plaintiffs John V. Ferris and Joann M. Ferris (“Plaintiffs”),
3 individually and on behalf of all other similarly situated, filed a putative class action captioned *Ferris v.*
4 *Wynn, et al.*, No. 18-cv-00479-GMN-CWH against Defendants Wynn Resorts Limited, Stephen A.
5 Wynn, Craig Scott Billings, Stephen Cootey, and Matthew O. Maddox, (collectively, “Defendants” and
6 with the Plaintiffs, the “Parties”) alleging violations of Sections 10(b) and 20(a) of the Securities
7 Exchange Act of 1934, 15 U.S.C. § 78a et seq., and Rule 10b-5, 17 C.F.R. 240 promulgated thereunder;

8
9 WHEREAS, the Complaint asserts claims under the federal securities laws that are subject to the
10 Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995) (“PSLRA”),
11 which sets forth specialized procedures for the administration of securities class actions, including a
12 specific process for the appointment of a lead plaintiff and lead counsel to represent the putative class;

13
14 WHEREAS, lead plaintiff and lead counsel have not yet been appointed pursuant to Section 21D
15 of the Exchange Act, 15 U.S.C. § 78u-4. The deadline to move for appointment as lead plaintiff is April
16 28, 2018;

17 WHEREAS, once selected, the lead plaintiff will then appoint a lead counsel, subject to the
18 Court’s approval, § 78u-4(a)(3)(B)(v), and identify an operative complaint or file an amended complaint
19 that becomes the operative complaint;

20 WHEREAS, the Parties agree that in the interests of judicial economy, conservation of time and
21 resources, and orderly management of this action, no response to any pleading in this action by any
22 Defendant should occur until after (i) a lead plaintiff and lead counsel are appointed by the Court
23 pursuant to the PSLRA, and (ii) such lead plaintiff serves an operative complaint;

24 WHEREAS, the Parties hereby stipulate and agree, and respectfully request the Court to order,
25 as follows:

26 1. Within 14 days of an order by the Court appointing lead plaintiff(s) and lead counsel, Defendants
27 and any lead plaintiff(s) appointed by the Court shall, through their respective counsel, confer and

1 jointly submit a proposed schedule for the filing of any amended complaint and for the filing of a
2 responsive pleading, including a briefing schedule with respect to any anticipated motions to dismiss;

3 2. Defendants shall not be required to answer, move, or otherwise substantively respond to the
4 Complaint or any amended complaint until the date agreed upon by the Parties in the proposed schedule
5 described in paragraph 1 above, if approved by the Court, or until such other further order by the Court.

6 3. The deadline of April 14, 2018 for the Joint Status Report is adjourned until such time after entry
7 of an order appointing a lead plaintiff and lead counsel for the class that is convenient for the Court.

8 4. Nothing in this Stipulation is intended in any way to waive or affect any rights, claims, defenses,
9 objections or arguments that any party may have with respect to any matter, other than those expressly
10 addressed and agreed in paragraph 1 through 3 above.

11 **IT IS SO ORDERED.**

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13 DATED: April 2, 2018

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15 _____
16 UNITED STATES MAGISTRATE JUDGE
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1 DATED: March 30, 2018

SNELL & WILMER L.L.P.

2
3 /s/ Alex L. Fugazzi

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1 DATED: March 30, 2018

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1 DATED: March 30, 2018

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