

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

HOME GAMBLING NETWORK, INC.,)	2:05-cv-00610-DAE
et al.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
CHRIS PICHE, et al.,)	
)	
Defendants.)	

ORDER (1) DENYING PLAINTIFFS’ MOTION TO EXTEND TIME FOR DEFENDANTS’ REPLY; (2) DENYING DEFENDANTS’ EMERGENCY MOTION TO STRIKE; AND (3) CLARIFYING SCHEDULE

On May 22, 2014, this Court entered its Order Granting Defendants’ Motion for Attorney Fees. (Dkt. # 367.) In the Order, the Court ordered the parties to submit supplemental briefing, stating:

Plaintiffs shall file their supplemental brief, specifically responding to Defendants’ calculations as set forth in their Motion **on or before June 22, 2014**. Defendants shall file any reply to Plaintiffs’ **objections on or before July 9, 2014**.

(Id. at 29.)

The Court extended the time to file the supplement briefing pursuant to the requests of the parties. (Dkt. # 377.) The current schedule required that

Plaintiffs submit their supplemental brief on July 8, 2014, and requires that Defendants file their reply supplemental brief on July 22, 2014. (Id.)

Plaintiffs timely filed their supplemental brief on July 8, 2014. (Dkt. # 374.) However, on July 9, 2014, Plaintiffs also filed a “Supplemental Brief Requesting Reconsideration of the Court’s Finding On An ‘Exceptional’ Case.” (Dkt. # 375.) Thereafter, in a rather confusing fashion, Plaintiffs filed a motion to extend time, ironically requesting that the Court provide Defendants with additional time to file their reply brief, and allow Defendants to exceed the page limit. (Dkt. # 378.) Essentially, Plaintiffs request an extension of time on behalf of Defendants so that Defendants (1) may respond Plaintiffs’ supplemental brief on Defendants’ attorney fee calculations (as ordered by the Court) (Dkt. # 374), and (2) may also respond to Plaintiffs’ “Supplemental Brief Requesting Reconsideration of the Court’s Finding on An ‘Exceptional’ Case” (Dkt. # 375).

Defendants have now filed an “Emergency Motion to Strike Plaintiffs’ Supplemental Brief Requesting Reconsideration of the Court’s Finding of an ‘Exceptional’ Case (Dkt. # 375) and Motion for Additional Time (Dkt. # 378).” (Dkt. # 379.)

First, to the extent Plaintiffs motion requesting reconsideration is labeled a “supplemental brief,” that designation is incorrect. The Court very clearly requested supplemental briefing only on Defendants’ calculations as set forth in

their original Motion for Attorney Fees. (Dkt. # 367 at 29.) The Court, however, will construe Plaintiffs' "supplemental brief" as a motion for reconsideration.

The current schedule remains in place. Defendants have until **July 22, 2014**, to respond to Plaintiffs July 8, 2014 supplemental brief on the issue of attorney fees (Dkt. # 374). Again, Defendants reply shall respond **only** to Docket No. 374. If Defendants would like to exceed the page limits as set by the Local Rules, Defendants may do so by requesting leave of Court on their own behalf; if not, the page limits as set by the Local Rules shall apply.

As to Plaintiffs' motion at Docket No. 375, liberally construed as a motion for reconsideration, if Defendants would like to respond to Plaintiffs' motion for reconsideration, they may do so in a separate response and within the time limits as set forth by the Local Rules.

Therefore, the Court **DENIES** Plaintiffs' Motion to Provide Defendants With Additional Time to File Their Reply Brief. (Dkt. # 378.) Furthermore, the Court **DENIES** Defendants' "Emergency Motion to Strike Plaintiffs' Supplemental Brief Requesting Reconsideration of the Court's Finding of an 'Exceptional' Case and Motion for Additional Time." (Dkt. # 379.) As discussed above, the Court construes Plaintiffs' motion at Docket No. 375 as a motion for reconsideration; Defendants may file a response containing their

arguments against Plaintiffs' request for reconsideration in a separate motion addressing it within the time limits as set forth in the Local Rules.

IT IS SO ORDERED.

DATED: Las Vegas, Nevada, July 16, 2014.

A handwritten signature in black ink, appearing to read "David Alan Ezra", is written over a horizontal line. The signature is stylized and cursive.

David Alan Ezra
Senior United States District Judge