

1 JOINTLY SUBMITTED  
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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 PHASE II CHIN, LLC and LOVE &  
13 MONEY, LLC, (formerly dba  
14 O.P.M.L.V., LLC,

15 Plaintiffs,

16 vs.

17 FORUM SHOPS, LLC, FORUM  
18 DEVELOPERS LIMITED  
19 PARTNERSHIP, SIMON PROPERTY  
20 GROUP LIMITED PARTNERSHIP,  
21 SIMON PROPERTY GROUP, INC.,  
22 CAESARS PALACE CORP., and  
23 CAESARS PALACE REALTY CORP.,

24 Defendants.

) CASE NO. 2:08-cv-162-JCM-GWF  
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) **STIPULATION AND ORDER**  
) **FOR STAY AND/OR TO**  
) **EXTEND DEADLINES**  
) **PENDING DECISION IN A**  
) **RELATED ACTION**

) **FIRST REQUEST**

25 Plaintiffs Phase II Chin, LLC and Love & Money, LLC ("Plaintiffs")  
26 hereby stipulate with defendants Forum Shops, LLC, Forum Developers Limited  
27 Partnership, Simon Property Group Limited Partnership, Simon Property Group,  
28 Inc. (collectively, "the Forum Defendants") and Caesars Palace Realty  
Corporation, and Caesars Palace Corporation (collectively, "the Caesars  
Defendants") as follows:

1                   1. A related action is pending between some of the parties in this  
2 case in the Superior Court State of Delaware in and for New Castle County, C.A.  
3 076-10-030CLS, entitled *Forum Shops LLC, Plaintiff v. Chin-LV, LLC et al.*,  
4 *Defendants*. The defendants in the Delaware action, plaintiffs here, have filed a  
5 Motion to Dismiss or Stay that action, which is pending hearing and decision by  
6 the Court there.

7                   2. All named defendants in this action have either been served or  
8 accepted service of the complaint in this case. The due dates for the defendants  
9 in this case to answer or otherwise move as to the complaint, if not extended, are  
10 various and range from February 14, 2008 to March 15, 2008. These dates, if not  
11 extended, will trigger the Rule 26 and LR 26-1 deadlines for initial discovery  
12 exchanges and filing of the discovery plan and scheduling order.

13                   3. Before the Caesars Defendants removed this case, Plaintiffs and  
14 the Forum Defendants entered into a Stipulation in the Eighth Judicial District  
15 Court extending the due date to answer or move and a stay on further action in  
16 the case pending decision by the Delaware Court on the Motion to Dismiss or  
17 Stay. A true copy of this Stipulation is attached.

18                   4. Without prejudice to any rights or arguments any party may have  
19 in this or the Delaware case, the parties agree that the efficient course of further  
20 proceedings in this case may be affected by decision on the pending Motion to  
21 Dismiss or Stay in the Delaware case.

22                   5. Accordingly, the parties hereto agree to a stay of proceedings in  
23 this case until July 1, 2008, or a date 30 days after decision by the Delaware court  
24 on the Motion to Dismiss or Stay, whichever is earlier. This stay extends all  
25 existing deadlines to the earlier of July 1, 2008 or a date 30 days after the  
26 Delaware Court's decision on the Motion to Dismiss or Stay (except those set  
27 forth in this Court's Order Concerning Removal, which are unchanged and will  
28 be met) including without limitation: (a) the time within which plaintiffs must

1 move for remand; (b) the time within which any of the defendants must answer  
2 or move; and (c) the pretrial discovery conference and scheduling conference  
3 deadlines, which shall run under LR 26-1 from the date first defendant answers  
4 or moves as to the complaint.

5           5. This is the first extension of any deadline in this case. It  
6 represents an extension of at most 135 days of the earliest deadline in this case,  
7 which is the February 14, 2008 deadline for some of the defendants to answer or  
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