

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANIPLEX, INCORPORATED, a Japanese  
corporation,

Plaintiff and Counter-Defendant,

v.

THE UPPER DECK COMPANY, a Nevada  
corporation,

Defendant and Counter-Claimant.

CASE NO. 2:08-cv-00442-HDM-PAL

**STIPULATION AND  
ORDER EXTENDING BY THREE DAYS  
THE PARTIES' DEADLINE TO FILE  
REPLY PAPERS FOR THEIR PENDING  
DISPOSITIVE MOTIONS**

WHEREAS, on August 6, 2010, Plaintiff and Counter-Defendant Aniplex, Incorporated (“Aniplex”) filed a Motion for Partial Summary Judgment, and Defendant and Counter-Claimant The Upper Deck Company (“Upper Deck”) filed a Motion For Summary Judgment Or, In The Alternative, For Summary Adjudication Of Issues (collectively, the “Dispositive Motions”). Pursuant to the Court’s prior orders (Docket Nos. 94, 103, and 109), the filing of the Dispositive Motions suspended the August 27, 2010 deadline for filing the joint pretrial order until 30 days after a decision on the Dispositive Motions.

WHEREAS, pursuant to Federal Rule of Civil Procedure 56(c)(1)(B) and LR 7-2(e) of the Local Rules of Practice of the United States District Court for the District of Nevada (“Local Rules”), the deadline for Aniplex and Upper Deck (collectively, the “Parties”) to file their respective responses to the Dispositive Motions is August 27, 2010, *i.e.*, 21 days after service of the Dispositive Motions. The Parties do not seek to extend this deadline.

WHEREAS, pursuant to Federal Rule of Civil Procedure 56(c)(1)(C) and LR 7-2(e) of the Local Rules, the current deadline for the Parties to file their respective replies in further support of the Dispositive Motions is September 10, 2010, *i.e.*, 14 days after the responses will be served on August 27, 2010.

WHEREAS, the Jewish high holiday of Rosh Hashanah will be on September 9 and 10, 2010. Several of the Parties’ attorneys are Jewish and observe Rosh Hashanah. The Parties have therefore agreed to extend by three days (*i.e.*, to and including September 13, 2010) the deadline for the Parties to serve and file their respective replies in further support of the Dispositive Motions.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, through their respective attorneys of record, as follows:

1. The deadline for Aniplex to serve and file its reply papers in further support of its Motion for Partial Summary Judgment shall be extended to and including September 13, 2010.

2. The deadline for Upper Deck to serve and file its reply papers in further support of its Motion For Summary Judgment Or, In The Alternative, For Summary Adjudication Of Issues shall be extended to and including September 13, 2010.

RESPECTFULLY SUBMITTED: August 26, 2010

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**ORDER**

IT IS SO ORDERED.



United States District Court Judge

DATED: August 30, 2010