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**Attorneys for Defendants**

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

THOMAS DAVIS III, RICK BRUNTON, LOIS )  
 TIGER and EMMANUEL WIEST individually )  
 and on behalf of all others similarly situated, )

Plaintiffs, )

vs. )

WESTGATE PLANET HOLLYWOOD LAS )  
 VEGAS, LLC., WESTGATE RESORTS INC., )  
 WESTGATE RESORTS LTD., CFI SALES & )  
 MARKETING, LTD., CFI SALES & )  
 MARKETING, LLC., CFI SALES & )  
 MARKETING, INC., and "John Doe" entities 1 )  
 to 25, name and number unknown, )

Defendants. )

**Case No. 2:08-CV-00722-RCJ-PAL**

**ORDER**

**UNOPPOSED MOTION TO APPEAR  
 TELEPHONICALLY AT APRIL 12, 2013,  
 FINAL FAIRNESS HEARING**

1 Defendants, Westgate Planet Hollywood Las Vegas, LLC, Westgate Resorts, Inc., Westgate  
2 Resorts Ltd., CFI Sales and Marketing, Ltd., CFI Sales and Marketing, LLC, and CFI Sales and  
3 Marketing, Inc. (collectively "Defendants"), file this Unopposed Motion to Appear telephonically at  
4 the April 12, 2013, Final Fairness Hearing for the reasons as set forth below:

- 5 1. The original hearing date was set for April 19, 2013.
- 6 2. This Honorable Court later changed the hearing date to April 12, 2013.
- 7 3. On April 3, 2013, this Honorable Court changed the hearing date to May 7, 2013.
- 8 4. Defendants had already made travel arrangements for May 7, 2013; however, on April  
9 5, 2013, this Honorable Court moved the hearing date back to April 12, 2013.
- 10 5. Because the hearing changed on such short notice, airplane tickets<sup>1</sup> have increased  
11 substantially and Defendants have undertaken other commitments.
- 12 6. In light of the new deadline, Defendants request to appear telephonically.
- 13 7. Plaintiffs' counsel will be physically present and do not object to Defendants'  
14 counsel counsel attendance via telephone.

15  
16  
17 WHEREFORE, Defendants request to appear telephonically for the April 12, 2013, final  
18 fairness hearing currently scheduled for 11:00 a.m. P.S.T.

19 ORDER

20 IT IS HEREBY ORDERED that the parties may appear telephonically. The parties shall  
21 dial the Meet-Me-Line five (5) minutes prior to the hearing. The Court may be in session  
22 when the parties call in, the parties shall remain silent until the Court addresses the  
23 parties. The dial in Meet-Me-Line is (702) 868-4925 Access Code: 123456. IT IS SO  
24 ORDERED.

25  
26  
27 

28 ROBERT C. JONES

April 9, 2013