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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 THEODORE TRAPP, on his own behalf and on  
12 behalf of all others similarly situated,

CASE NO.:2:09-cv-00995-KJD-GWF

13 Plaintiffs,

**STIPULATION TO ENLARGE TIME  
FOR DEFENDANT CLS NEVADA, LLC  
TO RESPOND TO PLAINTIFF'S CLASS  
ACTION COMPLAINT (SECOND  
REQUEST)**

14 v.

15 BIG POPPA'S, LLC, a Nevada limited liability  
16 company d/ba/ BADDA BING MEN'S CLUB;  
17 SKY TOP VENDING, INC., a Nevada  
18 corporation d/ba/ CAN CAN ROOM; LA  
19 FUENTE, INC., a Nevada corporation d/b/a  
20 CHEETAH'S; C.P. FOOD AND BEVERAGE,  
21 INC., a Nevada corporation d/b/a CLUB  
22 PARADISE; DEJA VU SHOWGIRLS;  
23 PALOMINO CLUB, INC., a Nevada  
24 corporation d/b/a PALOMINO CLUB; SHAC,  
25 LLC, a Nevada corporation d/b/a SAPPHIRE;  
26 K-KEL, INC., a Nevada corporation d/b/a  
27 SPEARMINT RHINO; D.2801 WESTWOOD  
28 INC., a Nevada corporation d/b/a  
TREASURES; LITTLE DARLINGS OF LAS  
VEGAS, LLC, a Nevada limited liability  
company d/b/a LITTLE DARLINGS; O.G.  
ELIADES, A.D., LLC, a Nevada limited  
liability company d/b/a OLYMPIC GARDENS;  
LAS VEGAS ENTERTAINMENT LLC, a  
Nevada limited liability company d/b/a LARRY  
FLYNT'S HUSTLER CLUB; MICHAEL A.  
SALTMAN d/b/a MINXX; RICK'S LAS  
VEGAS; FRIAS MANAGEMENT, LLC, a  
Nevada limited liability company d/b/a ACE  
CAB COMPANY and A-NORTH LAS  
VEGAS CAB; WESTERN CAB COMPANY,

1 a Nevada corporation d/b/a WESTERN CAB  
2 COMPANY and WESTERN LIMOUSINE;  
3 NEVADA CHECKER CAB CORPORATION,  
4 a Nevada corporation d/b/a NEVADA  
5 CHECKER CAB COMPANY; NEVADA  
6 STAR CAB CORPORATION, a Nevada  
7 corporation d/b/a STAR CAB COMPANY;  
8 NEVADA YELLOW CAB CORPORATION, a  
9 Nevada corporation d/b/a YELLOW CAB  
10 COMPANY; LUCKY CAB COMPANY OF  
11 NEVADA, a Nevada corporation d/b/a LUCKY  
12 TRANS; SUN CAB, INC., a Nevada  
13 corporation d/b/a NELLIS CAB COMPANY;  
14 CLS NEVADA, LLC, a Nevada limited liability  
15 company d/b/a CLS TRANSPORTATION LAS  
16 VEGAS; ON DEMAND SEDAN SERVICES,  
17 LLC, a Nevada limited liability company d/b/a  
18 ODS LIMOUSINES and ODS  
19 CHAUFFEURED TRANSPORTATION; BLS  
20 LIMOUSINE SERVICE OF LAS VEGAS,  
21 INC.; DESERT CAB, INC., a Nevada  
22 corporation d/b/a DESERT CAB COMPANY  
23 and ODYSSEY LIMOUSINE; BELL TRANS,  
24 a Nevada corporation d/b/a BELL TRANS;  
25 TONY CHONG, an individual, and DOE  
26 EMPLOYEES 1-100;

Defendants.

19 Plaintiff Theodore Trapp (“Plaintiff” or “Trapp”) and Defendant CLS Nevada, LLC  
20 (“Defendant” or “CLS”), a Nevada limited liability company d/b/a CLS Transportation Las Vegas,  
21 propose the following Stipulation and Proposed Order enlarging the time for Defendant to answer  
22 or otherwise respond to Plaintiff’s Complaint. In support, the Parties state as follows:

23 **WHEREAS**, on June 2, 2009, Plaintiff filed a four-count putative class action Complaint  
24 (“Complaint”) against Defendant alleging violations of Nevada’s Racketeering Statute and  
25 Consumer Fraud Statute;  
26

27 **WHEREAS**, by Stipulation dated July 22, 2009, Plaintiff and CLS stipulated to extend the  
28

1 time for CLS to respond to Plaintiff's Complaint until August 3, 2009;

2           **WHEREAS**, Defendant has now concluded that there are legal issues it believes would be  
3 best addressed by a motion under Rule 12(b)(6) and it requires additional time in order to prepare  
4 such motion, such that Defendant seeks an additional three-week extension of time to respond to  
5 Plaintiff's Complaint up to and including August 24, 2009;

6           **WHEREAS**, Defense counsel has conferred with Plaintiff's counsel and is authorized to  
7 state that Plaintiff has no objection to the extension of time requested herein.  
8

9           **NOW, THEREFORE**, the Parties hereby **STIPULATE and AGREE** as follows:  
10

11           Defendant's last day to answer or otherwise plead to Plaintiff's Complaint shall be August  
12 24, 2009.

13           Dated this 30<sup>th</sup> day of July, 2009.

14 NORMAN H. KIRSHMAN, P.C.

KUMMER KAEMPFER BONNER  
RENSHAW & FERRARIO

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16           \_\_\_\_\_  
17           *// s //*  
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21 *Attorney for Defendant CLS*

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*// s //*  
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22  
23  
24           **IT IS SO ORDERED:**

25 DATED: \_\_\_\_\_, 2009

26  
27           \_\_\_\_\_  
28 PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE