

1 James E. Smyth II
Kummer Kaempfer Bonner
2 Renshaw & Ferrario
3800 Howard Hughes Parkway
3 Seventh Floor
Las Vegas, Nevada 89169
4 Tel: 702.792.7000
Fax: 702.796.7181
Email: jsmyth@kkbrf.com

5 Jay Edelson (ARDC No. 6239287) (*Admitted Pro Hac Vice*)
Rafey Balabanian (ARDC No. 6285687) (*Admitted Pro Hac Vice*)
6 KAMBEREDELSON LLC
350 North LaSalle Street
7 Suite 1300
Chicago, Illinois 60654
8 Tel: 312.589.6370
Fax: 312.589.6378
9 Email: jedelson@kamberedelson.com
Email: rbalabanian@kamberedelson.com

10 *Attorneys for Plaintiff*
THEODORE TRAPP and the putative class

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 THEODORE TRAPP, on his own behalf and
on behalf of all others similarly situated,
14 Plaintiff,
15 v.
16 BIG POPPA'S, LLC, a Nevada limited
liability company d/b/a BADDABING
MEN'S CLUB, *et al.*,
17 Defendants.

Case No. 2:09-cv-00995

**PLAINTIFF'S MOTION AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION FOR AN ENLARGEMENT OF
TIME TO RESPOND TO THE MOTION
OF DEFENDANT MICHAEL A.
SALTMAN FOR DISMISSAL OF THE
COMPLAINT**

Honorable Lloyd D. George

Magistrate Judge Peggy A. Leen

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1 Pursuant to Fed. R. Civ. P. 6(b), Plaintiff respectfully moves the Court for the entry of an
2 Order enlarging the time by fourteen (14) days through and including August 31, 2009, for
3 Plaintiff to respond to the Motion to Dismiss of Defendant Michael A. Saltman d/b/a Minxx filed
4 on July 29, 2009 (Dkt. No. 151).

5 This motion is based upon the attached Memorandum of Points and Authorities and any
6 argument permitted at the time of hearing.

7 Dated: August 17, 2009

THEODORE TRAPP, individually and on
behalf of all others similarly situated

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By: /s/ Rafey S. Balabonian
Rafey Balabonian (ARDC No. 6285687)
(Admitted Pro Hac Vice)
KAMBEREDELSON LLC
350 North LaSalle
Suite 1300
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378
Email: rbalabonian@kamberedelson.com

1 6. The Court, for good cause shown, may enlarge the time for a party to complete a
2 required act. Fed.R.Civ.P. 6(b)(1)(A).

3 7. Here, there is good cause to allow an enlargement of time to respond to Saltman's
4 motion to dismiss because an enlargement of time will allow Plaintiff the opportunity to further
5 investigate the factual and legal assertions made by Saltman in his affidavit, which if true, may
6 lead to the dismissal of Saltman as a party-defendant and the addition of the proper party in his
7 stead.

8 8. On July 15, 2009, Plaintiff and counsel for defendants Déjà Vu Showgirls of Las
9 Vegas, LLC, Little Darlings of Las Vegas, LLC, and Las Vegas Entertainment, LLC, stipulated
10 to enlarge the time for Plaintiff to respond to the motion to dismiss filed by those defendants,
11 which the Court granted on July 20, 2009. On July 29, 2009, Plaintiff moved the Court for an
12 additional enlargement of time to respond to the motion to dismiss of defendants Las Vegas,
13 LLC, Little Darlings of Las Vegas, LLC, and Las Vegas Entertainment, LLC's, and for leave to
14 file a consolidated response to any pending and future motions to dismiss. That motion is
15 currently pending before the Court. Plaintiff has not sought any other extensions of time in this
16 case.

17 9. Plaintiff's counsel has conferred with Saltman's attorneys and is authorized to
18 state that Saltman has no objection to the relief requested herein.

19 10. This motion is not being brought for purposes of unduly delaying these
20 proceedings or to prejudice the defendants.

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