1 2 3 4	James E. Smyth II Kummer Kaempfer Bonner Renshaw & Ferrario 3800 Howard Hughes Parkway Seventh Floor Las Vegas, Nevada 89169 Tel: 702.792.7000 Fax: 702.796.7181 Email: jsmyth@kkbrf.com	
5 6 7 8 9 10	Jay Edelson (ARDC No. 6239287) (Admitted P Rafey Balabanian (ARDC No. 6285687) (Admit KAMBEREDELSON LLC 350 North LaSalle Street Suite 1300 Chicago, Illinois 60654 Tel: 312.589.6370 Fax: 312.589.6378 Email: jedelson@kamberedelson.com Email: rbalabanian@kamberedelson.com	
11	UNITED STATES DISTRICT COURT	
12	DISTRICT OF NEVADA	
13	THEODORE TRAPP, on his own behalf and on behalf of all others similarly situated,	Case No. 2:09-cv-00995
14 15 16	Plaintiff, v. BIG POPPA'S, LLC, a Nevada limited liability company d/b/a BADDA BING MEN'S CLUB, <i>et al.</i> ,	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.
17	Defendants.	SALTMAN FOR DISMISSAL OF THE COMPLAINT
18		Honorable Lloyd D. George
19		Magistrate Judge Peggy A. Leen
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24 CUMMER KAEMPFER BONNER RENSHAW & FERRARIO Seventh Floor 800 Howard Hughes Parkway Las Vegas, Nevada 89169	. . .	1

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	<b>THEODORE TRAPP</b> , individually and on behalf of all others similarly situated	
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9		By: <u>/s/ Rafey S. Balabanian</u> Rafey Balabanian (ARDC No. 6285687) ( <i>Admitted Pro Hac Vice</i> ) KAMBEREDELSON LLC	
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11		350 North LaSalle Suite 1300 Chicago, Illinois 60654 Tel: 312.589.6370 Fax: 312.589.6378 Email: rbalabanian@kamberedelson.com	
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## PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF HIS MOTION FOR ENLARGEMENT OF TIME

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3	1. This class action seeks redress for the defendants' alleged involvement in the	
4	practice of making illegal cash payments or "kickbacks" to drivers of taxi cabs, limousines, and	
5	other car services, for delivering customers to certain adult entertainment clubs (hereinafter	
6	referred to as the "Clubs") located in the vicinity of Las Vegas Boulevard or more commonly	
7	known as the "Strip." This alleged practice has been taking place for some time, and while the	
8	kickbacks originally began as "tips" most often in the amount of five dollars, today kickbacks	
9	often times reach and exceed \$100 per passenger.	
10	2. The lawsuit names 27 separate defendants who are alleged to have been involved	
11	in the foregoing practice and all but two of the defendants-Rick's Las Vegas (an adult	
12	entertainment club) and Tony Chong (a natural person)-have been duly served with a copy of	
13	the summons and complaint.	
14	3. On July 29, 2009, Defendant Saltman d/b/a Minxx moved the Court to dismiss the	
15	Complaint pursuant to Fed. R. Civ. P. 12(b)(6). In his motion, Saltman argues that he was	
16	improperly named as a party-defendant in this case because Saltman has purportedly "never	
17	owned title in or operated the Club [Minxx] in his personal capacity." (Dkt. No. 152, p. 3:19-	
18	20).	
19	4. The Court has set August 17, 2009, as the deadline for Plaintiff to respond to	
20	Saltman's motion to dismiss.	
21	5. In light of the factual and legal assertions made in Saltman's affidavit, Plaintiff	
22	requires a short enlargement of time by fourteen (14) days to investigate the claims made in, and	
23	to prepare a response to, Saltman's motion to dismiss.	
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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	3 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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1	WHEREFORE, Plaintiff Theodore Trapp, respectfully requests that this Court (a) grant	
2	his motion, (b) enlarge the time by fourteen (14) days through and including August 31, 2009,	
3	for Plaintiff to respond to the motion to dismiss of Defendant Michael A. Saltman d/b/a Minxx,	
4	and (c) and award such other and further relief as is equitable and just.	
5	<b>THEODORE TRAPP</b> , individually and on behalf of all others similarly situated	
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7	By: <u>/s/ Rafey S. Balabanian</u> Rafey Balabanian (ARDC No. 6285687)	
8	(Admitted Pro Hac Vice) KAMBEREDELSON LLC	
9	350 North LaSalle Suite 1300 Chiango Illinois 60654	
10	Chicago, Illinois 60654 Tel: 312.589.6370 Fax: 312.589.6378	
11	Email: jedelson@kamberedelson.com Email: rbalabanian@kamberedelson.com	
12	Attorneys for Plaintiff THEODORE TRAPP	
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15	ORDER	
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17	IT IS SO ORDERED.	
18	DATED this day of August, 2009.	
19	- Kloulle Heerof	
20	Lloyd D. George // Sr. U.S. District Judge	
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