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

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

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

13 Plaintiff,

14 v.

15 BIG POPPA'S, LLC, a Nevada limited
 liability company d/b/a BADDA BING
 16 MEN'S CLUB, *et al.*,

17 Defendants.

Case No. 2:09-cv-00995

**PLAINTIFF'S AMENDED MOTION AND
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT OF
 MOTION FOR AN ENLARGEMENT OF
 TIME TO RESPOND TO THE MOTIONS
 TO DISMISS OF DEFENDANTS LITTLE
 DARLINGS OF LAS VEGAS, LLC, DÉJÀ
 VU SHOWGIRLS OF LAS VEGAS, LLC,
 LAS VEGAS ENTERTAINMENT, LLC,
 NEVADA CHECKER CAB
 CORPORATION, NEVADA STAR CAB
 CORPORATION, NEVADA YELLOW
 CAB CORPORATION, WESTERN CAB
 COMPANY, LUCKY CAB COMPANY
 OF NEVADA, SUN CAB, INC., DESERT
 CAB, INC., ON DEMAND SEDAN
 SERVICES, LLC, BLS LIMOUSINE
 SERVICE OF LAS VEGAS, INC., FRIAS
 MANAGEMENT, LLC, CLS NEVADA,
 LLC, D.2801 WESTWOOD, INC.**

Honorable Lloyd D. George

Magistrate Judge Peggy A. Leen

1 Plaintiff Theodore Trapp, pursuant to Fed. R. Civ. P. 6(b), respectfully moves the Court
2 for the entry of an Order enlarging the time through September 24, 2009, for Plaintiff to respond
3 to the Motions of Little Darlings of Las Vegas, LLC, Déjà Vu Showgirls of Las Vegas, LLC, Las
4 Vegas Entertainment, LLC, Nevada Checker Cab, Nevada Star Cab, Nevada Yellow Cab,
5 Western Cab Company, Lucky Cab Company of Nevada, Sun Cab, Inc., Desert Cab, Inc., On
6 Demand Sedan Services, LLC, BLS Limousine Service of Las Vegas, Inc., Frias Management,
7 LLC, CLS Nevada, LLC, D.2801 Westwood, Inc., for dismissal of the Complaint and for leave
8 to file a consolidated response brief. By this motion, Plaintiff seeks to amend his original motion
9 requesting an enlargement of time. (Dkt. No. 151). However, Plaintiff's original request to file
10 a consolidated response brief stands.

11 Fed. R. Civ. P. 6(b) provides that for good cause shown, the Court may enlarge the time
12 for a party to complete any required act. Fed.R.Civ.P. 6(b)(1)(A). Here, good cause exists for
13 allowing the enlargement of time and request to file a consolidated response brief because such
14 an enlargement of time and consolidated response will without question serve to preserve the
15 resources of the litigants and most importantly the Court. As a result, the Court should grant the
16 request for an enlargement of time and for leave to file a consolidated brief.

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

19 Dated: August 21, 2009

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

By: /s/ Rafey S. Balabanian
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1 well. In fact, on that very day, Defendant Michael Saltman also moved to dismiss the
2 Complaint.

3 5. As a result, rather than responding to the motion, Plaintiff moved the Court for an
4 enlargement of time to respond to any then current and future motions to dismiss and for leave to
5 file a consolidated response brief. Plaintiff requested an extension of time until thirty (30) days
6 after all of the Defendants have responded, or are required to respond, to the Complaint. In the
7 following two weeks, twelve more Defendants moved for dismissal of the Complaint.

8 6. Defendants Little Darlings, Déjà Vu's, Las Vegas Entertainment, Western Cab,
9 Lucky Cab, Sun Cab, Desert Cab, On Demand Sedan, BLS Limousine filed oppositions to
10 Plaintiff's motion for enlargement, to which Defendants Frias Management and La Fuente
11 joined.

12 7. The crux of the oppositions were that the request for an enlargement of thirty (30)
13 days after all of the Defendants have responded, or are required to respond, to the Complaint,
14 was unreasonably prejudicial to the Defendants because all of the Defendants have not been
15 served with the Complaint.

16 8. Given that two Defendants remain to be served in this case, Plaintiff
17 acknowledges that the requested enlargement may have the effect of unreasonably delaying the
18 resolution of the pending motions to dismiss. Plaintiff therefore amends his request and seeks an
19 enlargement of time through September 24, 2009, to file a consolidated response to the motions
20 to dismiss¹, which is thirty (30) days after the stipulated deadline for the remaining-served
21 Defendants—K-Kel, La Fuente, and Bell Trans—to answer or otherwise plead to the Complaint.

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23 ¹ Plaintiff is not seeking any additional enlargement of time to respond to Michael Saltman's motion to
24 dismiss since that Defendant seeks dismissal of the Complaint as to him on the grounds that he
purportedly "never owned title in or operated the Club [Minxx] in his personal capacity" (See Dkt. No.
152, p. 3:19-20) and therefore, was improperly named as a party-defendant. Plaintiff's response to such
motion is due by August 31, 2009.

1 9. 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); *see also Bliss v. Tanner*, No. 87-0436 PHX RGS, 1987
3 WL 452237 (D. Ariz. 1987) (“Rule 6(b) of the Federal Rules of Civil Procedure liberally grants
4 the court discretion to extend time limits”).

5 10. Here, good cause exists because rather than providing the Court with 15 separate
6 briefs relating to issues raised by sixteen different Defendants, an enlargement of time to allow
7 for a consolidated response brief will serve to preserve the resources of the Parties and the Court.

8 11. On July 15, 2009, Plaintiff and counsel for Defendants Déjà Vu’s, Little Darlings,
9 and Las Vegas Entertainment, stipulated to enlarge the time for Plaintiff to respond to the motion
10 to dismiss filed by those Defendants, which the Court granted on July 20, 2009. On July 29,
11 2009, Plaintiff filed his original motion for enlargement of time and for leave to file a
12 consolidated response to any pending and future motions to dismiss. That motion is currently
13 pending before the Court. On August, 17, 2009, Plaintiff moved, without opposition, to enlarge
14 the time for Plaintiff to respond to Michael Saltman’s motion to dismiss, which the Court
15 granted. Plaintiff has not sought any other extensions of time in this case.

16 11. This motion is not being brought for purposes of unduly delaying these
17 proceedings or to prejudice the Defendants.

18 **WHEREFORE**, Plaintiff Theodore Trapp, respectfully requests that this Court (a) grant
19 his motion, (b) enlarge the time for Plaintiff to respond to the motion to dismiss of Defendants
20 Little Darlings, Déjà Vu’s, Las Vegas Entertainment, Western Cab, Lucky Cab, Sun Cab, Desert
21 Cab, On Demand Sedan, Nevada Checker Cab, Nevada Star Cab, Nevada Yellow Cab, BLS
22 Limousine, Frias Management, CLS Nevada, and D.2801 Westwood, through and including
23 September 24, 2009, (c) grant Plaintiff leave to file a consolidated brief in response to such

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motions to dismiss, and (d) award such other and further relief as the Court deems equitable and just.

Dated: August 21, 2009

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

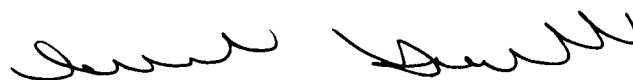
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Attorneys for Plaintiff
THEODORE TRAPP

1 CERTIFICATE OF SERVICE

2 I, the undersigned, hereby certify that on the 21st day of August, 2009, I electronically
3 filed the foregoing **PLAINTIFF'S AMENDED MOTION AND MEMORANDUM OF**
4 **POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR AN ENLARGEMENT**
5 **OF TIME TO RESPOND TO THE MOTIONS TO DISMISS OF DEFENDANTS LITTLE**
6 **DARLINGS OF LAS VEGAS, LLC, DÉJÀ VU SHOWGIRLS OF LAS VEGAS, LLC,**
7 **LAS VEGAS ENTERTAINMENT, LLC, NEVADA CHECKER CAB CORPORATION,**
8 **NEVADA STAR CAB CORPORATION, NEVADA YELLOW CAB CORPORATION,**
9 **WESTERN CAB COMPANY, LUCKY CAB COMPANY OF NEVADA, SUN CAB, INC.,**
10 **DESERT CAB, INC., ON DEMAND SEDAN SERVICES, LLC, BLS LIMOUSINE**
11 **SERVICE OF LAS VEGAS, INC., FRIAS MANAGEMENT, LLC, CLS NEVADA, LLC,**
12 **D.2801 WESTWOOD, INC.** using the court's CM/ECF system which will send notification to
13 the parties in this matter.

14 DATED this 21st day of August, 2009.

15 

16 an employee of
17 Kummer Kaempfer Bonner Renshaw & Ferrario