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*Attorneys for Defendant*  
 15 C.P. FOOD & BEVERAGE, INC. d/b/a CLUB PARADISE

16 **UNITED STATES DISTRICT COURT**  
 17 **DISTRICT OF NEVADA**

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

19 Plaintiff,

20 v.

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

23 Defendants.

Case No. 2:09-cv-00995

**[PROPOSED]**  
**STIPULATED REQUEST BETWEEN**  
**PLAINTIFF AND DEFENDANT C.P.**  
**FOOD AND BEVERAGE, INC. TO STAY**  
**PROCEEDINGS PENDING OUTCOME**  
**OF SETTLEMENT DISCUSSIONS**

**Honorable Lloyd D. George**

**Magistrate Judge Peggy A. Leen**

1 Plaintiff Theodore Trapp (“Plaintiff” or “Trapp”) and Defendant C.P. Food & Beverage,  
2 Inc. d/b/a Club Paradise (“Club Paradise”) propose the following Stipulation and Proposed Order  
3 staying these proceedings for 90 days as to Defendant Club Paradise. In support, the Parties state  
4 as follows:

5 **WHEREAS**, on June 2, 2009, Plaintiff filed a four-count putative class action complaint  
6 (“the Complaint”) against the Defendants alleging violations of Nevada’s Racketeering Statute;

7 **WHEREAS**, Plaintiff caused a copy of the summons and complaint in this matter to be  
8 served on Club Paradise on June 9, 2009;

9 **WHEREAS**, Plaintiff and Club Paradise, seek entry of an Order staying these  
10 proceedings and all aspects of this case as between Plaintiff and Club Paradise to enable the  
11 Parties to focus their efforts on settlement discussions in the hopes of bringing an early  
12 resolution to this matter;

13 **WHEREAS**, the Parties agree that to the extent they be unable to resolve this matter  
14 during the requested 90-day stay, Club Paradise shall have 30 days from the date of the  
15 expiration of the stay to answer or otherwise respond to the Complaint

16 **WHEREAS**, Club Paradise denies the material allegations of the Complaint, denies it  
17 committed any wrongdoing, and denies any liability to Plaintiff or the putative class of  
18 individuals that he purports to represent;

19 **WHEREAS**, taking into account the burdens and expense of protracted litigation,  
20 including the risks and uncertainties associated with class certification, protracted trials, and  
21 appeals, the Parties have decided to engage in settlement discussions to determine whether a  
22 speedy and efficient resolution to this case may be achieved;

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

- 24 1. These proceedings are hereby stayed for 90 days through and including January

1 13, 2010, as to Defendant C.P. Food & Beverage, Inc. d/b/a Club Paradise.

2 2. If the Parties are unable to resolve this matter during the requested 90-day stay,  
3 Defendant C.P. Food & Beverage, Inc. d/b/a Club Paradise shall have 30-days from the date of  
4 the expiration of the stay to answer or otherwise respond to the Complaint.

5 **IT IS SO STIPULATED.**

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

C.P. FOOD & BEVERAGE, INC. d/b/a CLUB  
PARADISE

7  
8 By: /s/ Jay Edelson  
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**IT IS SO ORDERED.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009

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LLOYD D. GEORGE  
UNITED STATES DISTRICT JUDGE

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**CERTIFICATE OF SERVICE**

I, Rafey S. Balabanian, an attorney, certify that on October 15, 2009, I served the above and foregoing, ***[Proposed] Stipulated Request Between Plaintiff and Defendant C.P. Food & Beverage, Inc., to Stay Proceedings Pending Outcome of Settlement Discussions***, by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record, via the Court's CM/ECF electronic filing system, on this the 15th day of October, 2009.

\_\_\_\_\_/s/ Rafey S. Balabanian\_\_\_\_\_