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THEODORE TRAPP and the putative class

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

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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

Plaintiff,

v.

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

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

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

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

IT IS SO STIPULATED.

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


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

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1 **IT IS SO ORDERED.**

2 Dated this 12 day of Oct, 2009

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5 LLOYD D. GEORGE
6 UNITED STATES DISTRICT JUDGE
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