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Pro Hac Vice Applications Pending

Attorneys for Caesars World, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CAESARS WORLD, INC., a Florida
corporation,

Plaintiff,

v.

MARCEL JULY, an individual; and OCTAVIUS
TOWER LLC, a Nevada limited liability
company,

Defendants.

CASE NO.: 2:11-CV00536-GMN-PAL

STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER

(Special Scheduling Review Requested)

Plaintiff Caesars World, Inc. ("Caesars") and Defendants Marcel July ("July") and Octavius Tower, LLC ("OT"), by and through their respective undersigned counsel, hereby stipulate and agree to the following discovery plan and scheduling order in this matter pursuant to Fed. R. Civ. P. 26(f) and L.R. 26-1.

1 (a) **Fed. R. Civ. P. 26(f) Conference:** On June 7, 2011, the parties conducted a
2 telephonic conference to discuss issues required by Fed. R. Civ. P. 26(f) and LR 26-1. James D.
3 Boyle, Esq. of the law firm Santoro, Driggs, Walch, Kearney, Holley & Thompson and David J.
4 Stewart, Esq. of the law firm Alston & Bird LLP appeared for Caesars. Michael W. Sanft, Esq.
5 of Sanft Law Group appeared on behalf of July and OT.

6 1. **Discovery Cut-Off Date:** OT answered Caesars' Complaint on May 3,
7 2011 (Docket No. 12). Caesars' initial efforts to serve July were
8 unsuccessful as the address it had for July (in Florida) proved incorrect
9 and Caesars later learned that July had moved to The Netherlands.
10 Caesars effected service on July in The Netherlands on April 29, 2011
11 (Docket No. 11). July subsequently answered Caesars' Complaint and
12 asserted counterclaims on May 19, 2011 (Docket No. 15). Because the
13 primary defendant to this action, July, is located in The Netherlands, the
14 parties request that a date for completion of discovery be set one hundred
15 eighty (180) days from the date that July filed his Answer and
16 Counterclaims, to wit November 15, 2011.

17 2. **Amending the Pleadings and Adding Parties:** All motions to amend the
18 pleadings or to add parties shall be filed not later than August 17, 2011,
19 which is ninety (90) days before the discovery cut-off date.

20 3. **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** Disclosures concerning
21 experts shall be made by September 16, 2011, sixty (60) days before the
22 discovery cut-off date. Disclosures of rebuttal experts shall be made by
23 October 17, 2011, thirty (30) days after the initial disclosure of experts.

24 4. **Dispositive Motions:** The date for filing dispositive motions shall be not
25 later than December 15, 2011, thirty (30) days after the discovery cut-off
26 date.

27 5. **Pretrial Order:** The date for filing the joint pretrial order shall not be
28 later than January 16, 2012, thirty (30) days after the date set for filing

dispositive motions. In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision on the dispositive motions or until further order of the Court. The parties shall include the disclosures required pursuant to Fed. R. Civ. P. 26(a)(3), and any objections thereto, with the pretrial order.

6. **Interim Status Report:** The parties shall file the interim status report required by L.R. 26-3 by September 16, 2011, sixty (60) days before the discovery cut-off date.

(b) **Fed. R. Civ. P. 26(f)(2) Scope of Discovery:** The parties agree that discovery should extend to the full extent allowed by the Federal Rules of Civil Procedure and that discovery should not be limited to any particular issues.

(c) **Fed. R. Civ. P. 26(f)(5) Changes:** The parties stipulate that no changes should be made to the limitations on discovery imposed by Fed. R. Civ. P. 26 or L.R. 26-1.

(d) **Fed. R. Civ. P. 26(f)(4) Orders:** The parties believe that a stipulated protective order is necessary and will submit a two-tiered Stipulated Joint Protective Order for consideration by the Court pursuant to Fed. R. Civ. P. 26(c).

(e) **Settlement:** In accordance with Fed. R. Civ. P. 26(f), counsel for all parties discussed settlement. At this time, none of the parties' settlement efforts were successful, although counsel for the parties expressed a willingness to continue such dialogue.

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(f) Additional Information: None.

Dated: June 13, 2011.

Dated: June 13, 2011.

**SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON**

SANFT LAW GROUP

/s/ James D. Boyle

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Attorneys for Plaintiff Caesars World, Inc.

IT IS SO ORDERED:

John A. Feen
UNITED STATES DISTRICT JUDGE or
UNITED STATES MAGISTRATE JUDGE

DATED: June 15, 2011