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7
 8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 LOUISIANA MUNICIPAL POLICE
 EMPLOYEES RETIREMENT SYSTEM,

11 Plaintiff,

12 v.

13 SHELDON GARY ADELSON, et al.,

14 Defendants.
 15

Case No.: 2:11-cv-00595-RLH-(GWF)

**DEFENDANT MICHAEL LEVEN'S
 MOTION FOR ENLARGEMENT OF
 TIME TO RESPOND TO PLAINTIFF'S
 VERIFIED SHAREHOLDER
 DERIVATIVE COMPLAINT**

16 Defendant Michael Leven respectfully requests an enlargement of time to respond to
 17 Plaintiff's Verified Shareholder Derivative Complaint. In support of his motion, Defendant
 18 states as follows:

19 1. On April 18, 2011, Plaintiff filed a two-count shareholder derivative complaint
 20 against nominal defendant Las Vegas Sands Corp. ("LVS" or "the Company"), eight current
 21 directors of the Company, and one former director, among them defendant Leven. Dkt. 1.
 22 Plaintiff subsequently filed a corrected complaint on April 20, 2011. Dkt. 5. LVS was served
 23 with that complaint on May 6; Koo was served on May 8; Forman and Chafetz were served on
 24 May 17; and Ader was served on May 30. According to the plaintiff, Leven was served on July
 25 22. Dkt. 52 at 4.
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1 2. On May 19, 2011, Plaintiff filed a motion to consolidate this action with two other
2 nearly identical shareholder derivative suits filed in this District. Dkt. 33; *Moradi et al. v.*
3 *Adelson*, No. 2:11-cv-00490-GMN; *Hardy v. Adelson et al.*, No. 2:11-cv-00636-RLH.¹
4 Plaintiff's counsel in *Moradi* has likewise filed a motion to consolidate the actions, and that
5 motion was joined by Plaintiff's counsel in *Hardy*. Defendants agree that consolidation is in the
6 best interest of all parties.
7

8 3. The Court in both *Moradi* (Dkt. 9) and *Hardy* (Dkt. 43) has issued a blanket
9 enlargement of time for all defendants – served and unserved – to answer until forty days after
10 the Court rules on the motions for consolidation.

11 4. This Court has already granted unopposed motions for enlargement of time for all
12 defendants served prior to Leven. *See* Dkts. 38, 47.

13 5. In light of the various motions for consolidation, Defendant Leven requests that
14 the time for all remaining defendants (including himself and all other directors not yet served) to
15 answer or otherwise respond be enlarged to forty days after the Court rules on Plaintiff's motion.
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17 6. Defendants' counsel raised the matter with Robin Winchester, counsel for
18 Plaintiff in this action, but did not receive a response regarding whether Plaintiff opposes this
19 request. Plaintiff did not previously oppose the extensions given to other defendants in this
20 action.
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22 7. The requested enlargement of time is reasonable and will not prejudice any party.

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27 ¹ Two more nearly identical shareholder derivative suits have also been filed in Nevada state court.
28 *Kohanim v. Adelson et al.*, No. A-11-636656-B (Clark Cty., Nev., Mar. 30, 2011); *Gaines v. Adelson et*
al., Case No. A-11-639645-B (Clark Cty., Nev., Apr. 18, 2011).



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WHEREFORE, Defendant Michael Leven respectfully requests that the Court enlarge the time within which all named defendants may respond to Plaintiff's Verified Shareholder Derivative Complaint to forty days after the Court acts on Plaintiff's motion to consolidate.

DATED this 26th day of August, 2011.

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/s/ James E. Whitmire
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* Motions for admission *pro hac vice* forthcoming

Attorneys for the Served Defendants

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: August 29, 2011