| MICHAEL J. McCUE (Nevada Bar #6055)<br>MMcCue@LRLAW.com<br>JONATHAN W. FOUNTAIN (Nevada Bar #10351)           |  |  |
|---|--|--|
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|   |  |  |
| Attorneys for Plaintiffs  |  |  |
| FSP, INC. AND MARK VALENTI  |  |  |
| UNITED STATES DISTRICT COURT  |  |  |
| 9 DISTRICT OF NEVADA  |  |  |
|   |  |  |
| FSP, INC., a Nevada corporation; MARK<br>VALENTI, an individual,  | Case No. 2:11-cv-00747-RLH-RJJ                         |  |
| Plaintiffs/Counterdefendants,   | STIPULATION AND [PROPOSED]<br>ORDER TO EXTEND BRIEFING |  |
| V.  | DEADLINES ON MOTION TO COMPEL                          |  |
| MJM FANTASY SPORTS LLC, a<br>Washington limited liability company; and  |  |  |
| MARC A. MALONE, an individual,  |  |  |
| Defendants/Counterclaimants, and<br>Third Party Plaintiffs,   |  |  |
| v.  |  |  |
| UPROAR, INC., Third Party Defendant.  |  |  |
|   |  |  |
| Plaintiffs FSP, Inc. and Mark Valenti, along with Third Party Defendant Uproar, Inc.,                         |  |  |
| (together "Plaintiffs") on the one hand, and Defendants and Third Party Plaintiffs MJM Fantasy                |  |  |
| 2 Sports LLC and Marc A. Malone (together "Defendants"), on the other hand, by and through their              |  |  |
| counsel of record, hereby agree and stipulate to extend the remaining briefing deadlines on                   |  |  |
| Plaintiffs' And Third Party Defendants' Motion To Compel And For Attorneys' Fees (Docket No.                  |  |  |
| 5 28), as follows:  |  |  |
| 1. Plaintiffs filed their motion on March 16, 2012. In the ordinary course, Defendants                        |  |  |
| would be required to file and serve an opposition brief on or before April 2, 2012, and Plaintiffs            |  |  |
| would be required to file and serve their reply memorandum on or before April 12, 2012. See D.                |  |  |
| would be required to file and serve an opposition brief on or before April 2, 2012, and Plaintiffs            |  |  |

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| 1   | Nev. L.R. 7-2.   |   |
|---|--|---|
| 2   | 2. However, since Plaintiffs filed their motion, the parties have agreed to schedule a             |   |
| 3   | settlement conference before United States Magistrate Judge Johnston to occur on April 12, 2012    |   |
| 4   | at 1:30 p.m.   |   |
| 5   | 3. If a settlement is not reached, the parties hereby agree and stipulate that                     |   |
| 6   | Defendants' opposition brief shall be due on or before April 26, 2012, and Plaintiffs' reply brief |   |
| 7   | shall be due on or before May 10, 2012.  |   |
| 8   | IT IS SO AGREED AND STIPULATED:  |   |
| 9   | LEWIS AND ROCA LLP   | HUTCHISON & STEFFEN   |
| 10  | By: <u>/s/ Jonathan W. Fountain</u>  | By: /s/ Joseph Ganley   |
| 11  | Michael J. McCue<br>Jonathan W. Fountain   | Joseph Ganley<br>Z. Kathryn Branson   |
| 12  | 3993 Howard Hughes Parkway   | 10080 West Alta Drive<br>Suite 200  |
| 13  | Suite 600<br>Las Vegas, Nevada 89169   | Las Vegas, NV 89145<br>Tel: (702) 385-2500                                    |
| 14  | Attorneys for Plaintiffs/Third Party Defendant   | Fax: (702) 385-2086   |
| 15  | FSP, INC., MARK VALENTI AND<br>UPROAR, INC.  | RICCI GRUBE BRENEMAN, PLLC  |
| 16  |  | By: <u>/s/ Joseph A. Grube</u>  |
| 17  |  | Joseph A. Grube<br>1200 Fifth Avenue  |
| 18  |  | Suite 625   |
| 19  |  | Seattle, WA 98101<br>Tel: (206) 624-5975                                      |
|   |  | Fax: (206) 260-7109   |
| 20  |  | Attorneys for Defendants/ Third Party Plaintiff<br>MJM FANTASY SPORTS LLC AND |
| 21  |  | MARC A. MALONE  |
| 22  |  |   |
| 23  |  |   |
| 24  | IT IS SO ORDERED:  |   |
| 25  | Rolaton Quaton   |   |
| 26  | UNITED STATES MAGISTRATE JUDGE   |   |
| 27  | DATE:  | March 26, 2012  |
| Lewis and Roca LLP 28<br>3993 Howard Hughes Parkway<br>Suite 600<br>Las Vegas, Nevada 89109 |  |   |