

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DANIELLE FICKEN, on behalf of herself  
and all others similarly situated,  
  
  Plaintiff,  
  
vs.  
  
NEW CASTLE CORP. dba EXCALIBUR  
HOTEL AND CASINO,  
  
  Defendant.

Case No. 2:13-cv-00600-APG-GWF

**ORDER**  
**Motion to Stay Proceedings - #23**

This matter is before the Court on Defendant’s Motion to Stay Proceedings (#23), filed on June 21, 2013; Plaintiff’s Opposition to Motion for Stay Proceedings (#26), filed on July 5, 2013; and Defendant’s Reply in Support of Motion to Stay Proceedings (#29), filed on July 19, 2013. The Court conducted a hearing in this matter on July 25, 2013. For the reasons stated on the record during the hearing,

**IT IS HEREBY ORDERED** that Defendant’s Motion to Stay Proceedings (#23) is **granted**, in part, as follows:

1. Defendant shall have until August 25, 2013 to file a response to Plaintiff’s Motion for Circulation of Notice Pursuant to 29 U.S.C. § 216(b), subject to the condition, and Defendant’s agreement on the record during the hearing, that the running of the statutes of limitations otherwise applicable to Plaintiff’s claims are tolled for the period of the stay or extension granted by this order.
2. Any Fed.R.Civ.Pro. 26(a) disclosures or discovery pertaining to potential employee class members who are represented by the Culinary Union or Teamster Unions is also stayed until

1 August 25, 2013 subject to the condition, and Defendant's agreement on the record during the  
2 hearing, that the running of the statutes of limitations otherwise applicable to Plaintiff's claims are  
3 tolled for the period of the stay or extension granted by this order.

4 3. This case is not stayed as to any Fed.R.Civ.Pro. 26(a) disclosures or discovery  
5 pertaining to potential employee class members who are not represented by the Culinary Union or  
6 Teamster Unions.

7 DATED this 25th day of July, 2013.

8  
9   
10 GEORGE FOLEY, JR.  
11 United States Magistrate Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28