

1 Abran E. Vigil  
 Nevada Bar No. 7548  
 2 Timothy R. Mulliner  
 Nevada Bar No. 10692  
 3 BALLARD SPAHR LLP  
 100 N. City Parkway, Suite 1750  
 4 Las Vegas, NV 89106  
 Telephone: (702) 471-7000  
 5 Facsimile: (702) 471-7070  
 Email: VigilA@ballardspahr.com  
 6 Email: MullinerT@ballardspahr.com

7 *Attorneys for Defendants Comcast*  
*Corporation, Comcast Programming*  
 8 *Development, Inc., and Comcast*  
*Cable Communications, LLC*

9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 PLAYERS NETWORK, INC.,  
 13  
 Plaintiff,

Case No. 2:14-cv-00238-GMN-GWF

14 vs.

**STIPULATION AND ORDER  
 ADJOURNING THE FIRST PHASE  
 OF DISCOVERY AND INTERIM  
 STATUS REPORT DEADLINE**

15 COMCAST CORPORATION, et al.,  
 16  
 Defendants.

17 Plaintiff Players Network, Inc. (“Players Network”) and defendants Comcast  
 18 Corporation, Comcast Programming Development, Inc., and Comcast Cable  
 19 Communications, LLC (collectively, “Comcast Defendants”), through their respective  
 20 counsel, hereby stipulate and agree as follows:

- 21 1. Players Network filed its Amended Complaint on January 20, 2014,  
 22 asserting various tort and contract claims against Comcast Defendants.  
 23 *See* Amended Complaint, Exhibit A to Notice of Removal [Doc. 1].
- 24 2. Comcast Defendants removed the case from state court on February 13,  
 25 2014 [Doc. 1], and filed their Motion to Dismiss on March 13, 2014 [Doc.  
 26 12], seeking dismissal of each of Players Network’s claims.

Ballard Spahr LLP  
 100 North City Parkway, Suite 1750  
 Las Vegas, Nevada 89106-4617

- 1 3. Comcast Defendants thereafter filed a Motion to Stay Discovery [Doc. 19]  
2 pending a ruling on their Motion to Dismiss, which was denied by Minute  
3 Order dated July 21, 2014 [Doc. 25].
- 4 4. The parties thereafter submitted a Joint Discovery Plan, which was  
5 approved and entered pursuant to an August 15, 2014 Scheduling Order  
6 [Doc. 31], wherein the parties agreed to conduct discovery on Players  
7 Network's claims in phases.
- 8 5. The first phase of discovery began upon entry of the Scheduling Order and  
9 was limited to "the formation of the subject contract, including its scope,  
10 intent and purpose, and the parties' performance thereunder, including  
11 any alleged breach by any party."
- 12 6. Pursuant to an Amended Scheduling Order dated December 4, 2014 [Doc.  
13 35], discovery on these issues was to expire on February 24, 2015 or upon  
14 the entry of an order on Comcast Defendants' Motion to Dismiss,  
15 whichever occurred first.
- 16 7. The Court entered its Order on Comcast Defendants' Motion to Dismiss on  
17 February 2, 2015 [Doc. 36], *inter alia*, dismissing Players Network's breach  
18 of contract claim, but granting leave to amend this claim and three others  
19 by March 5, 2015. The February 2, 2015 Order terminated the first phase  
20 of discovery.
- 21 8. It is submitted that before the parties will be able to propose a plan for the  
22 second phase of discovery, Players Network needs to file its Second  
23 Amended Complaint and Comcast Defendants need to have an opportunity  
24 to review and consider the nature and scope of that complaint.
- 25 9. The parties therefore stipulate and agree to submit a joint discovery plan  
26 for the second phase of discovery within 14 days of service of Players  
27 Network's Second Amended Complaint. The parties further propose to  
28 extend the February 24, 2015 deadline for the interim status report to a

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date to be included in the joint discovery plan for the second phase of discovery.

10. The parties further stipulate and agree that all discovery in phase one which has not yet been completed, including all currently scheduled depositions, shall be adjourned until Players Network files its Second Amended Complaint and the Court enters a scheduling order for the second phase of discovery.

IT IS SO STIPULATED this 5th day of February, 2015.

BALLARD SPAHR LLP

BARNEY C. ALES, LTD.

By: /s/ Timothy R. Mulliner  
Timothy R. Mulliner  
Nevada Bar No. 10692  
100 North City Parkway, Suite 1750  
Las Vegas, NV 89106-4617


By: /s/ Barney C. Ales  
Barney C. Ales  
BARNEY C. ALES, LTD.  
P.O. Box 20563  
Las Vegas, NV 89112

*Attorneys for Defendants Comcast Corporation, Comcast Programming Development, Inc., and Comcast Cable Communications, LLC*

Barney C. Ales  
BARNEY C. ALES, LTD.  
222 Guidance Ridge Ct.  
Henderson, NV 89012

*Attorney for Plaintiff*

IT IS SO ORDERED:



GEORGE FOLEY, JR.  
United States Magistrate Judge

Dated: February 6, 2015