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 14 **UNITED STATES DISTRICT COURT**  
 15 **DISTRICT OF NEVADA**

17 JEREMY BAUMAN, et al.,  
 18 Plaintiffs,  
 19 vs.  
 20 V THEATER GROUP, LLC; et al.,  
 21 Defendants.

Case No. 2:14-cv-01125-RFB-PAL

**STIPULATION; ORDER TO CONTINUE  
 DISCOVERY AND CLASS  
 CERTIFICATION DEADLINES**

**(THIRD REQUEST)**

22 BIJAN RAZILOU, et al.,  
 23 Plaintiffs,  
 24 vs.  
 25 V THEATER GROUP, LLC; et al.,  
 26 Defendants.

In consolidation with  
 Case No.: 2:14-cv-01160-RFB-PAL

**STIPULATION**

Pursuant to Local Rules 6-1, 6-2 and 7-1, all parties through their counsel of record enter into this Stipulation to extend the current scheduling order deadlines for close of class discovery and for Plaintiffs to file a motion for class certification. This is the third request for an extension. In support of this request, the parties represent the following to the Court:

1. On May 5, 2015, the Court approved the parties' request to extend the close of class discovery to August 31, 2015, and to set September 30, 2015, as the deadline for Plaintiffs' class certification motion to allow Plaintiffs time to conduct discovery of third-party Twilio, Inc. (Plaintiffs allege Twilio helped Defendants send the text messages at issue) and to give the parties the opportunity to mediate their dispute [Dkt. 54].

2. On June 25, 2015, the parties held a mediation with Hon. William C. Pate (ret.) of JAMS in San Diego, California. Although the parties did not reach a settlement at the mediation, the parties continued their settlement efforts with Judge Pate's assistance.

3. On July 27, 2015, Plaintiffs filed motions to amend their respective complaints in this consolidated proceeding [Dkts. 59 & 60]. Plaintiffs seek to add as defendants Twilio and Saxe Theater, LLC, and to have the respective complaints name all defendants that had to that point been named in either complaint. Defendants did not oppose the motions.

4. By August 17, 2015, the parties discontinued their settlement efforts through Judge Pate. On August 17, 2015, Defendants served notices for the depositions of both Plaintiffs for the morning and afternoon, respectively, of August 26, 2015.

5. Given the likelihood of Twilio being joined in this lawsuit and to allow Twilio the opportunity to participate in Plaintiffs' depositions and for Plaintiffs to conduct discovery of Twilio, the parties stipulate and jointly ask the Court for a continuance of the above deadlines as follows:

- a. The current August 31, 2015, Close of Class Discovery should be continued to October 30, 2015; and
- b. The current September 30, 2015, Deadline to file Motion to Certify Class should be continued to November 30, 2015.

1 Stipulated and respectfully submitted this 25th day of August, 2015, by:

2  
3 /s/ Albert H. Kirby  
4 Albert H. Kirby  
5 Washington Bar No. 40187  
6 *Admitted Pro Hac Vice*  
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10 *and*

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18 *Attorneys for Plaintiff Jeremy Bauman*

19 /s/ Matthew R. Mendelsohn  
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26 *and*

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2 *Attorneys for Plaintiff Bijan Razilou*

3  
4 **ORDER**

5 For the reasons stated in the parties' Stipulation, the Court approves the parties' Stipulation  
6 and Orders as follows:

- 7 1. The Close of Class Discovery Phase is October 30, 2015; and  
8 2. The Deadline to file Motion to Certify Class is November 30, 2015.

9 Additionally, there being no opposition to Plaintiffs' motions to for leave to file amended  
10 complaints [Dkts. 59 & 60], the Court grants those motions.

11 **IT IS SO ORDERED.**

12   
13 UNITED STATES MAGISTRATE JUDGE

14 DATED: August 27, 2015

15 *Respectfully submitted by:*

16 /s/ Kenneth E. Payson  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 25, 2015, I served a copy of the foregoing  
**STIPULATION; ORDER TO CONTINUE DISCOVERY DEADLINE** upon each of the  
parties by electronic mail pursuant to the Stipulated Discovery Plan in this matter (Dkt. 35),  
addressed to:

<b>Attorney</b>	<b>Party Represented</b>	<b>Email</b>
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/s/ Kenneth E. Payson  
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