

**SANTORO WHITMIRE**  
10100 W. Charleston Blvd., Suite 250, Las Vegas, Nevada 89135  
(702) 948-8771 – fax (702) 948-8773

1 NICHOLAS J. SANTORO, ESQ.  
Nevada Bar No. 0532  
2 [nsantoro@santoronevada.com](mailto:nsantoro@santoronevada.com)  
JASON D. SMITH, ESQ.  
3 Nevada Bar No. 9691  
[jsmith@santoronevada.com](mailto:jsmith@santoronevada.com)  
4 SANTORO WHITMIRE  
10100 W. Charleston Blvd., Suite 250  
5 Las Vegas, Nevada 89135  
Telephone: 702/948-8771  
6 Facsimile: 702/948-8773

7 Jonathan Moskin  
Ramy Hanna  
8 Adam Pence  
FOLEY & LARDNER LLP  
9 90 Park Avenue  
New York, New York 10016-1314  
10 P: (212) 682-7474  
F: (212) 687-2329  
11 Email: [jmoskin@foley.com](mailto:jmoskin@foley.com)  
(admitted *pro hac vice*)  
12 Attorneys for Defendant Marks Studios, LLC

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 KONAMI GAMING, INC., a Nevada  
corporation,

16 Plaintiff,

17 v.

18 MARKS STUDIOS, LLC d/b/a Gimmie  
19 Games, a Georgia limited liability company,

20 Defendant.

CASE NO.: 2:14-cv-01485-JAD-CWH

Honorable Jennifer A. Dorsey  
Magistrate Judge Carl W. Hoffman

**JOINT STATUS REPORT AND  
STIPULATION AND [PROPOSED]  
ORDER REGARDING DISCOVERY**

21 Pursuant to the Court’s Minute Order dated November 3, 2015, Defendant MARKS  
22 STUDIOS, LLC (“Marks Studios”) and Plaintiff KONAMI GAMING, INC. (“Konami,” and  
23 collectively with Mark Studios, the “Parties”) hereby file this Joint Status Report and  
24 Stipulation and Order to extend discovery as requested below:

25 1. Status of this action, including any pending motions or other matters which  
26 require this Court’s attention.

27 On November 3, 2015, this Court ordered the parties to file a stipulation vacating the  
28 dates associated with present discovery schedule outlined in the most recent Scheduling Order

1 (the court order is *Docket No. 110*). The Court further ordered the Parties to provide a status  
2 report within 30 days.

3 On November 10, 2015, the Parties filed a joint stipulation vacating the above-described  
4 dates pending the scheduling of Osamu Yoshimi's continued deposition, which this Court so-  
5 ordered on November 12, 2015 (*Docket No. 112*).

6 2. Action required to be taken by this Court.

7 At this time, the parties remain in discussions about the scheduling of Mr. Yoshimi's  
8 continued deposition, but, currently, Mr. Yoshimi is unable to travel to the United States before  
9 February 2016. Konami offered two potential dates in February, and Marks Studios accepted  
10 February 26, 2016. However, Mr. Yoshimi has indicated that he cannot confirm the February  
11 dates for certain until a later time. The parties therefore request additional time to allow Mr.  
12 Yoshimi to confirm his availability and allow the parties to submit a proposed schedule based  
13 on when Mr. Yoshimi's deposition is finally set. To this end, the parties request the Court set a  
14 deadline of January 22, 2016 for a next status report, at which point the parties should have  
15 finalized the scheduling of this deposition and agreed upon new dates for the remaining case  
16 schedule.

17 Dated: December 2, 2015

Dated: December 2, 2015

18 By: /s/ Nicholas J. Santoro  
19 Nicholas J. Santoro (NBN 532)  
20 Jason D. Smith (NBN 9691)  
21 SANTORO WHITMIRE  
22 10100 West Charleston Blvd., Suite 250  
Las Vegas, Nevada 89135  
P: (702) 948-8771/F: (702) 948-8773  
Email: [nsantoro@santoronevada.com](mailto:nsantoro@santoronevada.com)  
Email: [jsmith@santoronevada.com](mailto:jsmith@santoronevada.com)

By: /s/ Patrick M. McCarthy  
Patrick M. McCarthy (Michigan Bar No.  
P49100) (admitted pro hac vice)  
HOWARD & HOWARD ATTORNEYS  
One North Main Building  
101 North Main Street  
Ann Arbor, Michigan 48104-1475  
P: (734) 222-1483/F: (732) 761-5957  
Email: [PMcCarthy@howardandhoward.com](mailto:PMcCarthy@howardandhoward.com)

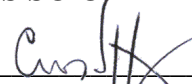
23 Jonathan Moskin  
24 Ramy Hanna  
25 Adam Pence  
26 FOLEY & LARDNER LLP  
27 90 Park Avenue  
New York, New York 10016-1314  
P: (212) 682-7474/F: (212) 687-2329  
Email: [jmoskin@foley.com](mailto:jmoskin@foley.com)  
(admitted pro hac vice)

*Attorneys for Plaintiff Konami Gaming, Inc.*

28 *Attorneys for Defendant Marks Studios, LLC*

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

**IT IS SO ORDERED:**



---

Carl W. Hoffman  
United States Magistrate Judge

DATED: December 3, 2015