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Attorneys for Defendant  
10 *Kohl's Department Stores, Inc.*

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 KIRBY SPENCER )

Plaintiff, )

15 v. )

16 KOHL'S DEPARTMENT STORES, INC., )

18 Defendant. )

No.: 14-cv-01646-RFB-CWH

) **STIPULATION AND**  
) **[PROPOSED] ORDER**  
) **FOR EXTENSION OF**  
) **BRIEFING SCHEDULE ON**  
) **DEFENDANT'S MOTION**  
) **FOR JUDGMENT ON THE**  
) **PLEADINGS OR, IN THE**  
) **ALTERNATIVE, FOR A STAY**

) **(First Request)**

) Hon. Richard F. Boulware, II

) Magistrate Judge Carl W. Hoffman

22 Plaintiff Kirby Spencer ("Plaintiff"), by and through his attorneys Craig K. Perry &  
23 Associates and McGuire Law, P.C., and Defendant Kohl's Department Stores, Inc.  
24 ("Defendant"), by and through its attorneys Ballard Spahr LLP and Kelley Drye & Warren  
25 LLP, hereby stipulate and agree, pursuant to L.R. IA 6-1 and 6-2, and L.R. 7-1, and subject to  
26 this Court's approval, to an extension of time to September 24, 2018 for Plaintiff to respond to

27 Stipulation to Extend Briefing Schedule on  
28 Defendant's Mot. for Judg. on the Pleadings

Case No. 14-CV-01646-RFB-CWH

1 Defendant's Motion for Judgment on the Pleadings or, in the Alternative, for a Stay (ECF Nos.  
2 89, 90) ("Motion for Judgment"), and for an extension of time to October 22, 2018 for  
3 Defendant to file its reply in support of its Motion for Judgment.

4 This Stipulation is made in good faith and not for the purpose of delay or for any other  
5 improper purpose. Plaintiff's response to Defendant's Motion for Judgment is currently due  
6 August 30, 2018 (ECF No. 89). Plaintiff seeks the additional time to properly address the issues  
7 raised in Defendant's Motion, as well as due to Plaintiff's counsel's significant other work  
8 commitments and travel over the upcoming weeks, including the Labor Day holiday.  
9 Defendant seeks the additional time to file its reply to properly address the issues likely to be  
10 raised in Plaintiff's Opposition brief. This is the first request for extension of time related to  
11 Defendant's Motion for Judgment.

12 WHEREFORE, Plaintiff Kirby Spencer and Defendant Kohl's Department Stores, Inc.  
13 hereby stipulate and respectfully request that the Court enter an Order: (i) extending the  
14 deadline for Plaintiff to file his response to Defendant's Motion for Judgment to September  
15 24, 2018; and (ii) extending the deadline for Defendant to file its Reply in support of the Motion  
16 for Judgment to October 22, 2018.

17 Dated: August 24, 2018

Respectfully submitted,  
MCGUIRE LAW, P.C.  
By: /s/ Evan M. Meyers  
Evan M. Meyers (pro hac vice)  
Attorneys for Plaintiff Kirby Spencer

20 Dated: August 24, 2018

KELLEY DRYE & WARREN LLP  
By: /s/ Lauri Mazzuchetti  
Lauri Mazzuchetti (pro hac vice)  
Attorneys for Defendant  
*Kohl's Department Stores, Inc.*

24 Pursuant to Stipulation, **IT IS SO ORDERED.**

25 Dated: August 27, 2018.

26 By:   
Hon. Richard F. Boulware, II  
U.S. District Court Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 24, 2018, I electronically filed the forgoing Stipulation and [Proposed] Order for Extension of Briefing Schedule on *Defendant's Motion* for Judgment on the Pleadings or, in the Alternative, for a Stay with the Clerk of the Court using the CM/ECF system. Notice of this filing is sent to all counsel of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Evan M. Meyers