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19 **UNITED STATES DISTRICT COURT**
 20 **DISTRICT OF NEVADA**

21 CIRENA TORRES, on behalf of herself and
 22 all others similarly situated,

23 Plaintiffs,

24 vs.

25 KWONG YET LUNG CO., INC.
 d/b/a International Marketplace, and DOES
 26 1 through 100, inclusive,

27 Defendants.

Case No. 2:14-cv-02223-MMD-PAL

**STIPULATION AND [PROPOSED]
 ORDER FOR (1) CONTINUANCE OF
 THE DEADLINE TO FILE MOTION
 FOR PRELIMINARY APPROVAL OF
 CLASS SETTLEMENT, AND (2) STAY
 OF LR 26-1 AND LR 26-2 DEADLINES
 AND OTHER REQUIREMENTS**

(FIRST REQUEST)

1 Pursuant to Local Rule 6-1, Plaintiff Cirena Torres and Defendant Kwong Yet Lung
2 Co., Inc. d/b/a International Marketplace (hereinafter "International Marketplace"), by and
3 through their respective undersigned counsel, submit this Stipulation and [Proposed] Order
4 for (1) Continuance of the Deadline to File Motion for Preliminary Approval of Class
5 Settlement, and (2) Stay of LR 26-1 and LR 26-2 Deadlines and Other Requirements.
6 Plaintiff and Defendant stipulate, agree, and hereby request as follows:

7 **BACKGROUND**

8 1. This lawsuit was commenced on the last day of December 2014.

9 2. On May 13, 2015, the parties participated in mediation before the Honorable
10 Philip Pro (Ret.) in Las Vegas, Nevada. With Judge Pro's assistance, the parties reached a
11 class-wide settlement.

12 3. Following the mediation, counsel for the parties confirmed the key terms of
13 the class-wide settlement by memorializing the key terms by email, including the fact that
14 confirmatory discovery is required.

15 4. This settlement was thereafter reported to the Court on May 15, 2015. Dkt.
16 No. 12.

17 5. In a minute order entered on May 18, 2015 (Dkt. No. 13), the Court informed
18 the parties that "[t]he Court has reviewed the parties' joint status report. (Dkt. no [12].)"
19 and ordered the parties to file a motion for preliminary approval of class settlement within
20 90 days. As such, the deadline is August 17, 2015.¹

21 6. Although, as stated above and previously reported to the Court, the parties
22 have agreed on and memorialized the key terms of the settlement, more time is needed to
23 gather the physical addresses and other information of the settlement class members,
24 finalize the engagement of a class action settlement administrator, and to formalize and
25 execute the formal settlement agreement.

26 _____
27 ¹ The ninetieth day is Sunday, August 16, 2015. Thus, the next court day is August 17,
28 2015.

1 7. For these reasons, the parties respectfully request the Court grant a forty-five
2 day extension to the deadline to file a motion for preliminary approval of the class action
3 settlement. This request is not made for the purpose of delay and there have not been any
4 such prior extensions or continuances requested or granted.

5 8. In addition, Defendant International Marketplace filed its Answer on August
6 14, 2015. Dkt. No. 14. The Answer constitutes Defendant's first appearance in this
7 action, and, as such, triggered discovery related requirements, including corresponding
8 deadlines under LR 26-1 and/or LR 26-2. Because the parties will be proceeding with a
9 class-wide settlement which will require the Court's review and preliminary and final
10 approvals pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the parties agree
11 to stay all of the deadlines and other requirements of LR 26-1 and LR 26-2, to allow time
12 for the Court's review and approval process to be completed.

13 **PRAYER**

14 WHEREFORE, PREMISES CONSIDERED, pursuant to Local Rule 6-1 and for the
15 reasons set forth above, Torres and International Marketplace pray that (1) the Court
16 extend the deadline to file a motion for preliminary approval of class settlement for forty-
17 five days (until and including October 1, 2015), and (2) stay all of the deadlines and other
18 requirements of LR 26-1 and LR 26-2.

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1 Dated: August 14, 2015.

Respectfully submitted,

2 By: /s/ Chant Yedalian, Esq
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ORDER

Having considered the foregoing Stipulation and finding good cause appearing,
IT IS HEREBY, ORDERED, ADJUDGED, AND DECREED that the foregoing
Stipulation is GRANTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that (1) the deadline
to file a motion for preliminary approval of class settlement is extended and continued for
a period of forty-five days (until and including October 1, 2015), and (2) all of the
deadlines and other requirements of LR 26-1 and LR 26-2 are stayed.

IT IS SO ORDERED.

Dated: August 17, 2015



HON. MIRANDA M. DU
United States District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Rice Reuther Sullivan & Carroll, LLP, and that on this 14th day of August, 2015, I electronically filed the foregoing **STIPULATION AND [PROPOSED] ORDER FOR (1) CONTINUANCE OF THE DEADLINE TO FILE MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT, AND (2) STAY OF LR 26-1 AND LR 26-2 DEADLINES AND OTHER REQUIREMENTS (FIRST REQUEST)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record in this matter which are listed below:

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