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 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10  
 11 MICHAEL RUTH, and OTILDA  
 12 LAMONT, Derivatively on Behalf of  
 CANNAVEST CORP.,

13 Plaintiffs,

14 v.

15 MICHAEL MONA, JR., BART P.  
 16 MACKAY, and LARRY RASKIN,

17 Defendants,

18 and

19 CANNAVEST CORP.,

20 Nominal Defendant.

Case No.: 2:15-cv-00481-RFB-VCF

**SCHEDULE FOLLOWING  
 EXPIRATION OF STAY**

21  
 22 Plaintiffs Michael Ruth and Otilda Lamont (“Plaintiffs”) and defendants  
 23 Michael Mona, Jr., Bart P. Mackay, Larry Raskin, and CV Sciences, Inc.,  
 24 formerly known as CannaVest Corp. (“Defendants”) jointly state:

25 Plaintiffs filed their Second Amended Shareholder Derivative Complaint  
 26 (the “Complaint”) against Defendants on May 30, 2018. (Dkt. 51).  
 27  
 28

1 This action, and the allegations in the Complaint, involve largely the same  
2 facts and issues alleged in the related action styled as *In re: CannaVest Corp.,*  
3 *Securities Litigation*” under Case No. 14-cv-2900, filed in the United States  
4 District Court for the Southern District of New York (“New York Federal  
5 Securities Action”).

6 This court entered an Order on July 17, 2018, imposing a stay of the action  
7 and discovery pursuant to stipulation, until the earlier of (i) the close of fact  
8 discovery in the New York Federal Securities Action, or (ii) the deadline for  
9 appealing a dismissal of the New York Federal Securities Action with prejudice.  
10 (“Stay Order”; Dkt. 54). Under the terms of the Stay Order, Defendants did not  
11 need to respond to the Complaint.

12 On March 31, 2019, the United States District Court for the Southern  
13 District of New York entered an order, denying in part and granting in part, the  
14 motion to dismiss the New York Federal Securities Action.

15 On June 28, 2019, the plaintiffs in the New York Federal Securities Action  
16 filed a Stipulation of Dismissal with Prejudice.

17 On July 2, 2019, the United States District Court for the Southern District  
18 of New York entered an order dismissing, with prejudice, the New York Federal  
19 Securities Action (“Dismissal Order”). The court entered the Dismissal Order  
20 pursuant to a stipulation under Federal Rule 41(a), with each party bearing their  
21 own costs and fees.

22 Pursuant to the Stay Order, the parties in this action “Within thirty (30)  
23 days of the expiration of the stay,” must “jointly submit to the Court a proposed  
24 schedule for further proceedings in this action.” (Dkt. 54, p. 4). Accordingly, the  
25 parties propose a schedule of events follows:

- 26 1. Defendants’ deadline to file and serve a response to the Complaint:  
27 September 6, 2019;

- 1 2. Plaintiffs' deadline to file and serve any opposition to any motion filed  
2 in response to the Complaint: 45 days after the filing of such motion;  
3 3. Defendants' deadline to file and serve any reply to Plaintiffs' opposition:  
4 21 days after the filing of such opposition.

5 The parties propose that additional case management dates be set upon  
6 resolution of any motion filed in response to the Complaint.

7 Dated: August 1, 2019

Dated: August 1, 2019

8 **MATTHEW L. SHARP, LTD.**

**PROCOPIO, CORY,  
HARGREAVES & SAVITCH, LLP**

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10  
11 /s/ Matthew L. Sharp

/s/ S. Todd Neal

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18 and

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23  
24 ***Counsel for Plaintiffs***

**IT IS HEREBY  
ORDERED** that a status  
hearing is scheduled for  
10:00 AM, December 2,  
2019, in Courtroom 3D.

25  
26 **IT IS SO ORDERED.**



27  
28 **UNITED STATES MAGISTRATE JUDGE**  
**DATED: August 2, 2019**