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9 *Attorneys for Kenneth Himmler, Plaintiff*

10 **UNITED STATES FEDERAL DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

13 KENNETH HIMMLER,
 14 Plaintiff
 15 vs.
 16 LIVINGSTON GROUP ASSET
 MANAGEMENT, INC. DBA SOUTHPORT
 17 CAPITAL, INC., a Delaware corporation;
 HORIZON PRIVATE EQUITY, LLC, a
 18 Georgia limited liability company; JAMES
 WALLACE WOODS, an individual; JOHN J.
 19 WOODS, an individual; MICHAEL
 MOONEY, and individual; and DOES 1
 20 THROUGH 10,
 21 Defendants.

Case No. 2:15-cv-00497-MMD-CWH

**JOINT REQUEST FOR EXTENSION OF
 TIME FOR PARTIES TO CONDUCT
 FRCP 26(f) DISCOVERY CONFERENCE,
 AND TO FILE PROPOSED DISCOVERY
 PLAN/SCHEDULING ORDER
 (FIRST REQUEST)**

24 Plaintiff Kenneth Himmler, by and through his attorneys of record, Wolf, Rifkin, Shapiro,
 25 Schulman, and Rabkin, LLP; and, Defendants, by and through their counsel of record, Marquis
 26 Aurbach Coffing, hereby request an extension of time, pursuant to NV R USDCT LR 6-1 for the
 27 parties to meet and confer in order to conduct the mandatory FRCP 26(f) discovery conference,
 28 and subsequently jointly prepare and file the parties' proposed discovery plan/scheduling order,

1 such that this honorable Court may issue a Scheduling Order under FRCP 16(b)(1). The discovery
2 plan/scheduling order is currently due on July 6, 2015. The parties respectfully request an
3 amended deadline of August 6, 2015 for the parties to file the discovery plan/scheduling order.

4 Currently, Defendants' Motion to Dismiss is pending before this Court. (See Docket No.
5 14.) The Motion has been fully briefed. (See Docket No. 18.)

6 DATED this 6th day of July, 2015.

7 **WOLF, RIFKIN, SHAPIRO,**
8 **SCHULMAN & RABKIN, LLP**

9 By: /s/ Jordan J. Butler, Esq.
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23 DATED this 6th day of July, 2015.

24 **MARQUIS AURBACH COFFING**

25 By: /s/ James Ruggeroli, Esq.
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Attorneys for Defendants

ORDER

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: July 7, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2015, a true and correct copy of **JOINT DISCOVERY PLAN AND SCHEDULING ORDER** was served via the United States District Court CM/ECF system on all Parties or persons requiring notice.

/s/ Michael J. Hannon

Michael J. Hannon, An employee of WOLF, RIFKIN,
SHAPIRO, SCHULMAN & RABKIN, LLP