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22 **Attorneys for Defendants**
23 **Avison Young (Canada) Inc.; Avison Young**
24 **(USA) Inc.; Avison Young-Nevada, LLC;**
25 **Mark Rose and Joseph Kupiec**

26 **UNITED STATES DISTRICT COURT**
27 **FOR THE DISTRICT OF NEVADA**

28 **BGC PARTNERS, INC., G&E ACQUISITION)**
29 **COMPANY, LLC, and BGC REAL ESTATE OF)**
30 **NEVADA, LLC,)**
31 **vs.)**
32 **AVISON YOUNG (CANADA) INC., AVISON)**
33 **YOUNG (USA) INC., AVISON YOUNG)**
34 **NEVADA, LLC, MARK ROSE, THE NEVADA)**
35 **COMMERCIAL GROUP, JOHN PINJUV, and)**
36 **JOSEPH KUPIEC, DOES 1 through 5; and ROE)**
37 **BUSINESS ENTITIES 6 through 10)**

CASE NO.: 2:15-cv-00531-RFB-GWF

STIPULATION AND ORDER TO CONTINUE HEARING ON MOTION TO RECONSIDER THE PROTECTIVE ORDER'S "HIGHLY CONFIDENTIAL" PROVISIONS AND CONSOLIDATE SELECTED DEPOSITIONS [ECF NO. 123] AND MOTION TO SUBSTITUTE PARTY [ECF NO. 132]

(First Request)

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1 Pursuant to Local Rules 6-1 and 7-1, Plaintiffs BGC Partners Inc., G&E Acquisition
2 Company LLC, and BGC Real Estate of Nevada (“Plaintiffs”), through their counsel of record,
3 and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young–
4 Nevada LLC, Mark Rose, Joseph Kupiec, John Pinjuv, and The Nevada Commercial Group
5 (“Defendants”), through their counsel of record, hereby stipulate and request that the Court
6 continue the hearing on Plaintiff’s Motion to Reconsider the Protective Order’s “Highly
7 Confidential” Provisions and Consolidate Selected Depositions [ECF No. 123] (“Motion
8 Regarding the Protective Order and Depositions”) and Plaintiff’s Motion to Substitute Party
9 Newmark Group Inc. for BGC Partners Inc. as Plaintiff [ECF No. 132] (“Motion to Substitute”)
10 (together, the “Motions”) as follows:

11 **STIPULATION**

- 12 1. Plaintiffs filed their Motion Regarding the Protective Order and Depositions on
13 February 14, 2018.
- 14 2. On February 20, 2018, the Court set a March 12, 2018, hearing on the Motion
15 Regarding the Protective Order and Depositions [2/20/18 Minute Entry].
- 16 3. On February 22, 2018, the Court granted the parties’ stipulation setting a briefing
17 schedule on the Motion Regarding the Protective Order and Depositions and resetting the
18 hearing date for 9:30 a.m. on Monday, April 2, 2018 [ECF No. 131].
- 19 4. As of March 28, 2018, the Motion Regarding the Protective Order and
20 Depositions will be fully briefed and pending before the Court.
- 21 5. Plaintiffs filed their Motion to Substitute on February 23, 2018.
- 22 6. The Motion to Substitute is fully briefed and pending before the Court.
- 23 7. On March 21, 2018, the Court scheduled a hearing on Plaintiffs’ Motion to
24 Substitute for 9:30 a.m. on Monday, April 2, 2018 [ECF No. 148].
- 25 8. Counsel for Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc.,
26 Avison Young-Nevada, LLC, Mark Rose, and Joseph Kupiec (collectively, the “AY
27 Defendants”) have a conflict on April 2, 2018 and are unable to attend the hearing on April 2,
28 2018.

ORDER

Having reviewed the foregoing and finding good cause appearing,

IT IS HEREBY ORDERED that the hearing on Plaintiffs Motion Regarding the Protective Order and Depositions [ECF No. 123] and Plaintiffs' Motion to Substitute [ECF No. 132], is continued to the following date and time: May 1, 2018 at 9:30 am in Courtroom 3A.

IT IS SO ORDERED.



George W. Foley
United States Magistrate Judge
DATED: this 28th day of March 2018

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