

1 Todd L. Bice, Esq., Bar No. 4534
 2 **Pisanelli Bice PLLC**
 3 400 South 7th Street, Suite 300
 4 Las Vegas, Nevada 89101
 5 Telephone: (702) 214-2100
 6 Facsimile: (702) 214-2101
 7 tlb@pisanellibice.com

8 F. Thomas Hecht, Illinois Bar No. 1168606
 9 Tina B. Solis, Illinois Bar No. 6242461
 10 Seth A. Horvath, Illinois Bar No. 6283110
 11 **Nixon Peabody LLP**
 12 70 W. Madison Street, Suite 3500
 13 Chicago, Illinois 60602
 14 Telephone: (312) 977-4400
 15 Facsimile: (844) 560-8137
 16 fthecht@nixonpeabody.com
 17 tbsolis@nixonpeabody.com
 18 sahorvath@nixonpeabody.com
 19 (admitted pro hac vice)

20 Attorneys for Plaintiffs Newmark Group Inc.,
 21 G&E Acquisition Company LLC, and BGC Real
 22 Estate of Nevada LLC

23 **UNITED STATES DISTRICT COURT**
 24 **FOR THE DISTRICT OF NEVADA**

25	NEWMARK GROUP INC., G&E)	
26	ACQUISITION COMPANY LLC, and BGC	)	CASE NO.: 2:15-cv-00531-RFB-GWF
27	REAL ESTATE OF NEVADA LLC,)	
28		)	STIPULATION AND ORDER
29	Plaintiffs,	)	REGARDING BRIEFING
30	v.	)	SCHEDULE ON THE AVISON
31		)	YOUNG DEFENDANTS' MOTION
32	AVISON YOUNG (CANADA) INC., AVISON	)	TO COMPEL AMENDED ANSWER
33	YOUNG (USA) INC., AVISON YOUNG-	)	TO INTERROGATORY NO. 3 AND
34	NEVADA LLC, MARK ROSE, THE NEVADA	)	STAY DISCOVERY (ECF No. 182)
35	COMMERCIAL GROUP, JOHN PINJUV,	)	AND PLAINTIFFS' MOTION FOR
36	JOSEPH KUPIEC, DOES 1 through 5, and ROE	)	LEAVE TO FILE SECOND
37	BUSINESS ENTITIES 6 through 10.	)	AMENDED COMPLAINT (ECF No.
38		)	186)
39	Defendants.	)	(First Request)

40 In accordance with LR IA 6-1 and LR 7-1, Plaintiffs Newmark Group Inc., G&E
 41 Acquisition Company LLC, and BGC Real Estate of Nevada ("Plaintiffs"), through their counsel

1 of record, and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young–
2 Nevada LLC, Mark Rose, Joseph Kupiec (collectively, the “Avison Young Defendants”), John
3 Pinjuv (“Pinjuv”), and The Nevada Commercial Group (“NCG”), through their counsel of record,
4 hereby stipulate to and request the entry of an order setting a briefing schedule on Plaintiffs’
5 response to the Avison Young Defendants’ motion to compel an amended answer to Interrogatory
6 No. 3 and stay discovery and Defendants’ response to Plaintiffs’ motion for leave to amend.
7

8 **STIPULATION**

9
10 1. On September 14, 2018, the Avison Young Defendants filed a motion to compel an
11 amended answer to Interrogatory No. 3 and stay discovery. (ECF No. 182, Mot. to Compel.)

12 2. On September 19, 2018, Pinjuv and NCG joined the Avison Young Defendants’
13 motion. (ECF No. 185, Joinder to Mot. to Compel.)

14 3. On September 19, 2018, Plaintiffs filed a motion for leave to file a Second Amended
15 Complaint. (ECF No. 186, Mot. for Leave.)

16 4. Under LR 7–2, the current deadline for Plaintiffs’ response to the Avison Young
17 Defendants’ motion is September 28, 2018.

18 5. Under LR 7–2, the current deadline for Defendants’ response to Plaintiffs’ motion
19 is October 3, 2018.

20 6. Having conferred and agreed, the parties respectfully request that the Court set the
21 following deadlines with respect to the Avison Young Defendants’ motion:

22 a. Plaintiffs shall have until **October 5, 2018**, to file a response in opposition
23 to the Avison Young Defendants’ motion to compel.

24 b. Defendants shall have until **October 10, 2018**, to file a response in
25 opposition to the Plaintiffs’ motion for leave.

26 c. The Avison Young Defendants shall have until **October 12, 2018**, to file a
27 reply in support of their motion to compel.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

d. Plaintiffs shall have until **October 17, 2018**, to file a reply in support of their motion for leave.

Dated: September 21, 2018

NIXON PEABODY LLP

By: s/ Seth A. Horvath

F. Thomas Hecht (pro hac vice)
Tina B. Solis (pro hac vice)
Seth A. Horvath (pro hac vice)
70 W. Madison Street, Suite 3500
Chicago, Illinois 60602

Attorneys for Plaintiffs Newmark Group Inc.,
G&E Acquisition Company LLC, and BGC
Real Estate of Nevad LLC

RICE REUTHER SULLIVAN
& CARROLL LLP

By: s/ Anthony J. DiRaimondo

David Carroll (Nev. Bar No. 7643)
Anthony J. DiRaimondo (Nev. Bar No.
10875)
3800 Howard Hughes Pkwy. Suite 1200

Attorneys for The Nevada Commercial Group
LLC and John Pinjuv

KIRKLAND & ELLIS LLP

By: s/ Keith Kobyłka

Keith Kobyłka (pro hac vice)
601 Lexington Avenue
New York, NY 10022

P. Daniel Bond (pro hac vice admission
forthcoming)
300 North LaSalle
Chicago, IL 60654

Attorneys for Defendants Avison Young
(Canada) Inc., Avison Young (USA) Inc.,
Avison Young–Nevada LLC, Mark Rose, and
Joseph Kupiec

ORDER

1
2 Having reviewed the foregoing stipulation and found it to be supported by good cause, IT
3 IS HEREBY ORDERED that Plaintiffs shall file their response to the Avison Young Defendants'
4 motion to compel an amended answer to Interrogatory No. 3 and to stay discovery by October 5,
5 2018, and the Avison Young Defendants shall file their reply by October 12, 2018. Defendants
6 shall file their response to Plaintiffs' motion for leave to file a Second Amended Complaint by
7 October 10, 2018, and Plaintiffs shall file their reply by October 17, 2018.
8

9 IT IS SO ORDERED.

10 

11 _____
12 GEORGE FOLEY, JR.
13 UNITED STATES MAGISTRATE JUDGE

14 DATED: 9-24-2018
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, the undersigned, certify that on September 21, 2018, I caused a true and correct copy of the foregoing **Stipulation and Order Regarding Briefing Schedule on the Avison Young Defendants’ Motion to Compel Amended Answer to Interrogatory No. 3 and Stay Discovery and Plaintiffs’ Motion for Leave to File Second Amended Complaint (ECF No. 186)** to be filed electronically with the clerk of court using the court’s CM/ECF system, which will send a notification of electronic filing to the counsel of record who have entered an appearance in this case, including those listed below:

Robert S. Larsen
Wing Y. Wong
Gordon & Rees LLP
300 S. 4th St., Suite 1550
Las Vegas, Nevada 89101
rlarsen@grsm.com
wwong@grsm.com

Keith Kobyłka
Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022
keith.kobyłka@kirkland.com

P. Daniel Bond
Kirkland & Ellis LLP
300 North LaSalle
Chicago, IL 60654
daniel.bond@kirkland.com

Attorneys for Defendants Avison Young (Canada) Inc.,
Avison Young (USA) Inc., Avison Young–Nevada LLC,
Mark Rose, and Joseph Kupiec

David Carroll
Anthony J. DiRaimondo
Rice Reuther Sullivan & Carroll LLP
3800 Howard Hughes Pkwy., Suite 1200
dcarroll@rrsc-law.com
adiraimondo@rrsc-law.com

Attorneys for Defendants The Nevada
Commercial Group LLC and John Pinjuv

/s/ Seth A. Horvath

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

One of the Attorneys for Plaintiffs Newmark Group Inc.,
G&E Acquisition Company LLC, and
BGC Real Estate of Nevada LLC