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Attorneys for Appellee
BRAIN POWER AMERICA, INC.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

In re DEBRA LEIGH JACOBS,

Appellant,

BRAIN POWER AMERICA
INCORPORATED,

Appellee.

2:15-cv-00533-JAD
2:15-cv-00911-JAD
2:15-cv-00912-JAD
(Consolidated)

**AMENDED STIPULATION AND ORDER TO EXTEND
THE DEADLINE FOR BRAIN POWER'S REPLY BRIEF**

FIRST REQUEST

WHEREAS, the parties have collegiately since the scheduling of the consolidated briefing schedule herein in or about June, 2015;

WHEREAS, neither party has found it necessary to file a request an extension of time heretofore;

WHEREAS, the original proposed stipulation was solicited on October 28, 2015 and submitted to the Court on October 29, 2015, on a timely basis, to extend the deadline for Brain Power's final Reply Brief by two weeks;

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1 **WHEREAS**, solely due to excusable neglect, counsel for Brain Power neglected to include
2
3 the statements required under LR 6-1(b);

4 **WHEREAS**, this Amended Stipulation still seeks the first extension of time of any brief
5 herein, and even that for only a two-week period;

6 **WHEREAS**, counsel for Brain Power has specifically requested this Stipulation insofar as
7 the press of both professional and family matters precluded him having sufficient available time
8 adequately research and address the issues raised in Jacob's most recent brief;

9 **WHEREAS**, those issues, included an out-of-town deposition trip and multiple additional
10 depositions in town to comply with the Federal Court discovery deadline established in another case;

11 **WHEREAS**, additionally, counsel for Brain Power departed on his annual scheduled Fall
12 vacation on or about October 14th, intending to return on the evening of the 18th, but was delayed
13 and precluded from returning until the 20th;

14 **WHEREAS**, counsel for Brain Power has been dealing with discovery deadlines in two other
15 major matters, and unfortunately is a sole practitioner and must attend to all these matters personally;

16 **WHEREAS**, counsel for Jacobs recognizes and understands the concerns of a small firm
17 practitioner and is more happy to accommodate personal and professional needs, particularly where
18 there is no prejudice to either party from a brief extension.
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1 **IT IS HEREBY STIPULATED AND AGREED**, by and through the respective
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3 undersigned counsel for the parties hereto, that Appellee, BRAIN POWER AMERICA
4 INCORPORATED'S Reply Brief, presently due on October 29, 2015, be extended an additional
5 two weeks to and until November 12, 2015.

6 DATED this ____ day of November, 2015.

7 JOHN W. MUIJE & ASSOCIATES

LAW OFFICES OF CHRISTOPHER P. BURKE

9
10 By: /s/ JOHN W. MUIJE, ESQ.

By: /s/ CHRISTOPHER P. BURKE, ESQ.

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DEBRA LEIGH JACOBS

20 **ORDER**

21 Based on the parties' stipulation, IT IS HEREBY ORDERED that Brain
22 Power America Inc.'s Reply Brief is DUE on or before November 12, 2015.

23 Dated: November 2, 2015.

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UNITED STATES DISTRICT JUDGE