

1 AARON R. MAURICE, ESQ.
 Nevada Bar No. 006412
 2 LISA J. ZASTROW, ESQ.
 Nevada Bar No. 009727
 3 COLBY L. BALKENBUSH, ESQ.
 Nevada Bar No. 013066
 4 **KOLESAR & LEATHAM**
 400 South Rampart Boulevard, Suite 400
 5 Las Vegas, Nevada 89145
 Telephone: (702) 362-7800
 6 Facsimile: (702) 362-9472
 E-Mail: amaurice@klnevada.com
 7 lzastrow@klnevada.com
 cbalkenbush@klnevada.com

8 *Attorneys for Plaintiff, MORRIS SCHNEIDER*
 9 *WITTSTADT, LLC*

KOLESAR & LEATHAM
 400 S. Rampart Boulevard, Suite 400
 Las Vegas, Nevada 89145
 Tel: (702) 362-7800 / Fax: (702) 362-9472

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 13 **UNITED STATES DISTRICT COURT**
 14 **DISTRICT OF NEVADA**

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16 MORRIS SCHNEIDER WITTSTADT, LLC, a
 Georgia Limited Liability Company,

17 Plaintiff,

18 vs.

19 NEVADA PROPERTY 1 LLC, a Delaware
 20 Limited Liability Company doing business as
 THE COSMOPOLITAN OF LAS VEGAS,

21 Defendant.

CASE NO. 2:15-cv-01175-RFB-VCF

**STIPULATION AND ORDER TO
 WITHDRAW NEVADA PROPERTY
 1, LLC'S MOTION FOR MORE
 DEFINITE STATEMENT [Doc. 7]
 AND TO EXTEND TIME FOR
 NEVADA PROPERTY 1, LLC TO
 FILE A RESPONSIVE PLEADING
 TO PLAINTIFF'S COMPLAINT
 [Doc. 1]**

(Third Request)

23 IT IS HEREBY STIPULATED by and between Plaintiff Morris Schneider Wittstadt,
 24 LLC ("MSW" or "Plaintiff"), and Defendant Nevada Property 1, LLC dba The Cosmopolitan of
 25 Las Vegas ("the Cosmopolitan" or "Defendant") (collectively, "the Parties"), by and through
 26 their respective counsel, that the Cosmopolitan's Motion for More Definite Statement ("the
 27 Motion") [Doc. 7] is withdrawn. Plaintiff's Opposition to the Motion was due on August 24,
 28 2015, pursuant to a prior stipulation filed with this Court. [Doc. 12]. However, the Parties agree

KOLESAR & LEATHAM
400 S. Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
Tel: (702) 362-7800 / Fax: (702) 362-9472

1 that in light of the Motion being withdrawn, the Plaintiff need not file any Opposition to the
2 Motion.

3 IT IS FURTHER STIPULATED by and between the Parties that the Cosmopolitan shall
4 have until September 24, 2015 to file a responsive pleading to Plaintiff's Complaint [Doc. 1].
5 This request to withdraw the Motion and request for an extension is not made for purposes of
6 delay.

7 Dated this 27th day of August, 2015.

Dated this 27th day of August, 2015

8 **KOLESAR & LEATHAM**

**WEINBERG, WHEELER, HUDGINS, GUNN &
DIAL, LLC**

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/s/ D. Lee Roberts

11 AARON R. MAURICE, ESQ.
12 Nevada Bar No. 006412
13 LISA J. ZASTROW, ESQ.
14 Nevada Bar No. 009727
15 COLBY L. BALKENBUSH, ESQ.
16 Nevada Bar No. 013066
17 400 South Rampart Boulevard, Suite 400
18 Las Vegas, Nevada 89145

D. LEE ROBERTS, ESQ.
Nevada Bar No. 008877
6385 S. Rainbow Boulevard., Suite 400
Las Vegas, Nevada 89118

*Attorney for Defendant
Nevada Property 1, LLC dba The Cosmopolitan
of Las Vegas*

*Attorneys for Plaintiff
Morris Schneider Wittstadt, LLC*

* * * * *

ORDER

IT IS SO ORDERED:



UNITED STATES ~~DISTRICT COURT~~ JUDGE
Magistrate

DATED: _____, 2015

August 28

KOLESAR & LEATHAM
400 S. Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
Tel: (702) 362-7800 / Fax: (702) 362-9472

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Kolesar & Leatham and that on the 27th day of August, 2015, I caused to be served a true and correct copy of foregoing **STIPULATION AND ORDER TO WITHDRAW NEVADA PROPERTY 1, LLC'S MOTION FOR MORE DEFINITE STATEMENT [Doc. 7] AND TO EXTEND TIME FOR NEVADA PROPERTY 1, LLC TO FILE A RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT [Doc. 1] (Third Request)** in the following manner:

(ELECTRONIC SERVICE) Pursuant to Rule 5-4 of the Local Rules of Civil Practice of the United States District Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.


An Employee of KOLESAR & LEATHAM

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