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9 *Operating Company, Inc.*

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

12 AERODYNAMICS INCORPORATED, a  
13 Michigan corporation; ADI HOLDINGS  
14 COMPANY, INC., a Georgia corporation,

15 Plaintiffs,

16 vs.

17 CAESARS ENTERTAINMENT  
18 OPERATING COMPANY, INC., a Delaware  
19 corporation; STEVEN MARKHOFF, an  
20 individual; INTERNATIONAL  
21 MANAGEMENT SOLUTIONS LLC, a  
22 Delaware corporation; VIA AIRLINES, INC.,  
23 a Colorado corporation; VIA AIR, LLC, a  
24 Delaware corporation; and AMOS VIZER, an  
25 individual,

26 Defendants.

CASE NO.: 2:15-cv-1344-JAD-BNW

**STIPULATION AND  
ORDER EXTENDING TIME TO  
RESPOND TO PLAINTIFFS' MOTION  
FOR VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE OF VIA  
AIRLINES, INC. (ECF NO. 320)**

**(SECOND REQUEST)**

22 Plaintiffs Aerodynamics Incorporated and ADI Holdings Company, Inc. (collectively  
23 "Plaintiffs") by and through their undersigned counsel, and Defendants Caesars Entertainment  
24 Operating Company, Inc. ("Caesars"); Steven Markhoff and International Management Solutions,  
25 LLC (collectively "Markhoff"); and Via Air, LLC and Amos Vizer (collectively "Via" or the "Via  
26 Entities"), by and through their undersigned counsel, hereby state as follows:

27 1. On November 26, 2019, Plaintiffs filed their Motion for Voluntary Dismissal  
28 without Prejudice of Via Airlines, Inc. (ECF No. 320) (the "Motion to Dismiss").

1           2.       The Parties previously agreed to modify the briefing schedule to allow Caesars,  
2 Markhoff, and the Via Entities additional time to file their responses to the Motion to Dismiss and  
3 the current deadline to respond to the Motion to Dismiss is Friday, December 13, 2019.

4           3.       This is the second stipulation to modify the briefing schedule.

5           4.       The parties have agreed to modify the briefing schedule to allow Caesars and  
6 Markhoff a brief extension, until Monday, December 16, 2019, to file their responses to the Motion  
7 to Dismiss.

8           5.       Via Airlines, LLC will not be filing a response/objection to the Motion to Dismiss  
9 and the Via Entities are not taking a position as to the Motion to Dismiss.

10          6.       The parties have further agreed that Plaintiffs shall have up to and including,  
11 Monday, December 23, 2019, to file their reply in support of the Motion to Dismiss.

12           In light of the foregoing, the Parties STIPULATE AND AGREE, subject to this Court's  
13 approval, as follows:

14           1.       That the time for Caesars and Markhoff to respond to the Motion to Dismiss shall  
15 be extended;

16           2.       Caesars and Markhoff shall have up to and including Monday, December 16, 2019  
17 to respond to the Motion to Dismiss; and

18           3.       Plaintiffs shall have up to and including, Monday, December 23, 2019, to file their  
19 reply in support of the Motion to Dismiss.

20 Dated this 13th day of December 2019

Dated this 13th day of December 2019

21 PISANELLI BICE PLLC

BUCHALTER, a Professional Corporation

22 By: /s/ M. Magali Mercera  
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Dated this 13th day of December 2019  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
By: /s/ Frank M. Flansburg  
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Dated this 13th day of December 2019  
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*Attorneys for Defendants Via Airlines, Inc., Via  
Air, LLC, and Amos Vizer*

**ORDER**

IT IS SO ORDERED that Caesars and Markhoff shall have up to and including Monday, December 16, 2019, to respond to the Motion to Dismiss.

IT IS FURTHER ORDERED that Plaintiffs shall have up to and including, Monday, December 23, 2019, to file their reply in support of the Motion to Dismiss

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
DATED: 12/16/2019

CASE NO. 2:15-cv-1344-JAD-BNW