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3 **UNITED STATES DISTRICT COURT**4 **DISTRICT OF NEVADA**5 Aerodynamics Incorporated and ADI
6 Holdings Company, Inc.,

7 Plaintiffs

8 v.

9 Caesars Entertainment Operating Company,
10 et al.,

11 Defendants


Case No.: 2:15-cv-01344-JAD-BNW

**Order Scheduling Trial and Briefing on
Motions in Limine**

12 Plaintiffs Aerodynamics Incorporated and ADI Holdings Company, Inc. recently filed a
13 fourth response to my order denying their request to voluntarily dismiss bankrupt defendant Via
14 Airlines, Inc. under Federal Civil Procedure Rule 41.¹ Although plaintiffs renewed their request
15 to voluntarily dismiss Via Airlines in their third response,² they have since sought and obtained
16 clarification from the bankruptcy court in Via Airlines' bankruptcy that the discharge injunction
17 under 11 U.S.C. § 524, 1141 prohibits that action.³ So plaintiffs ask me to set this matter for
18 trial, with Via Airlines participating, if at all, only as a nominal defendant as permitted under the
19 bankruptcy court's order.⁴ No defendant has filed a reply to plaintiffs' fourth response, and the
20 parties' revised proposed joint pretrial order and stipulation and proposed scheduling order for
21 briefing motions in limine are ripe for determination.⁵

22 ¹ ECF No. 351.23 ² ECF No. 348 at 2–3.³ ECF No. 351-1 (bankruptcy court's order).⁴ ECF No. 351.⁵ See ECF No. 316.

1 The parties stipulate that motions in limine will be due 75 days before trial, responses 45
2 days, and any reply allowed by the court 30 days before trial. This schedule is acceptable. This
3 action is **scheduled for a jury trial on the September 28, 2021, trial stack.** The parties are
4 directed to meet and confer and determine if they need to file a second revised pretrial order to
5 address the fact that Via Airlines will participate, if at all, only in a nominal capacity. Any
6 second revised joint pretrial order must be filed **by June 17, 2021.** Otherwise, the court will
7 update the parties' current revised joint pretrial order at ECF No. 311 with the dates set and
8 approved in this order and enter it on the docket.

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U.S. District Judge Jennifer A. Dorsey
June 10, 2021