

1 Michael R. Kealy,
2 Nevada Bar No. 971
3 Ashley C. Nikkel,
4 Nevada Bar No. 12838
5 PARSONS BEHLE & LATIMER
6 50 W. Liberty Street, Suite 750
7 Reno, Nevada 89501
8 Telephone: (775) 323-1601
9 Facsimile: (775) 348-7250
10 Email: mkealy@parsonsbehle.com
11 anikkel@parsonsbehle.com

12 – and –

13 Gregory T. Lawrence, Esq.
14 (*Admitted Pro Hac Vice*)
15 Kyle S. Kushner, Esq.
16 (*Admitted Pro Hac Vice*)
17 CONTI FENN & LAWRENCE LLC
18 36 S. Charles Street, Suite 2501
19 Baltimore, Maryland 21201
20 Telephone: (410) 837-6999
21 Facsimile: (410) 510-1647
22 Email: greg@lawcfl.com
23 kyle@lawcfl.com

24 Attorneys for Plaintiff
25 BARTECH SYSTEMS INTERNATIONAL, INC.

26 **UNITED STATES DISTRICT COURT**
27 **DISTRICT OF NEVADA**

28 BARTECH SYSTEMS INTERNATIONAL,
INC., a Delaware corporation,

Plaintiff/Counter-defendant,

v.

MOBILE SIMPLE SOLUTIONS, INC., a
Delaware corporation, MOBILE SIMPLE
SOLUTIONS (IAS), INC., a Canadian
corporation, VINCENT TESSIER, an
individual, CHRISTELLE PIGEAT, an
individual,

Defendants/Counterclaimants.

Case No. 2:15-cv-02422-MMD-NJK

**UNOPPOSED MOTION TO SUSPEND
LOCAL RULES FOR A LIMITED
PURPOSE**

1 Pursuant to Local Rule IA 1-4, Plaintiff, Bartech Systems International, Inc. (“Bartech”), by
2 its attorneys, moves this Court for a suspension of the Local Rules as effective May 1, 2016 (the “New
3 Local Rules”) in favor of the Local Rules as effective on August 1, 2011 in the interests of justice and
4 judicial economy for the limited purpose of allowing Bartech to re-file its Motion for a Preliminary
5 Injunction, Reply in support thereof, and supporting declarations and exhibits concurrently with its
6 Renewed Motion to Seal pursuant to the Court’s April 27, 2016 Order. See ECF Nos. 16, 17, 47, 67,
7 68, 71, 72, 80.¹ In particular, New Local Rules IA 7-3, IA 10-1, IA 10-3, IA 10-5, 7-3 each require
8 Bartech to alter the contents of its Motion for a Preliminary Injunction, originally filed January 14,
9 2016, and Reply in support thereof, originally filed February 16, 2016, as well as supporting
10 declarations and exhibits associated with these filings. ECF Nos. 16, 47. The Court has already held
11 a two-day evidentiary hearing on Bartech’s Motion for a Preliminary Injunction, thus a suspension of
12 the New Local Rules would serve the interests of justice and judicial economy by enabling the Court
13 to rule on the Motion for a Preliminary Injunction as briefed and argued before the Court. This Motion
14 is based upon the following Memorandum of Points and Authorities.

17 DATED: May 3, 2016

PARSONS BEHLE & LATIMER

18 /s/ Michael R. Kealy

19 Michael R. Kealy, Nevada Bar No. 971
20 Ashley C. Nikkel, Nevada Bar No. 12838

21 – and –

22 Gregory T. Lawrence, Esq.
(Admitted Pro Hac Vice)

23 Kyle S. Kushner, Esq.
(Admitted Pro Hac Vice)

24 CONTI FENN & LAWRENCE LLC
25 Attorneys for Plaintiff
26 BARTECH SYSTEMS INTERNATIONAL, INC.

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1 Defendants do not oppose this Motion.

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.
3 BACKGROUND

4 Bartech originally filed its Motion for a Preliminary Injunction and certain supporting
5 exhibits and declarations under Seal on January 14, 2016. ECF No. 16. Bartech filed its Reply in
6 support thereof and supporting declarations and exhibits under Seal on February 16, 2016. ECF
7 No. 47. Bartech, of course, moved for leave to file these documents under Seal. *See* ECF Nos. 15,
8 46.

9
10 On April 7, 2016, the Court issued an Order denying without prejudice, *inter alia*, Bartech's
11 Motions to Seal its Motion for a Preliminary Injunction, Reply, and certain supporting declarations
12 and exhibits for failure to comply with the Ninth Circuit's recent opinion in *Center for Auto Safety*
13 *v. Chrysler Group, LLC*. 809 F.3d 1092 (9th Cir. 2016); ECF No. 58; *see* ECF Nos. 15, 16, 46, 47.

14 On April 15, 2016, Bartech and Defendants Mobile Simple Solutions, Inc., Mobile Simple
15 Solutions (IAS), Inc., Vincent Tessier, and Christelle Pigeat filed a Joint Motion to Seal Bartech's
16 Motion for a Preliminary Injunction, Defendants' Opposition thereto, and Bartech's Reply in
17 Support thereof, as well as certain supporting declarations and exhibits attendant to these filings.
18 ECF Nos. 66-72.

19
20 On April 18 and 19, 2016, the Court held an evidentiary hearing on Bartech's Motion for a
21 Preliminary Injunction. *See* ECF No. 16, 73, 74, 77, 78.

22 On April 27, 2016, the Court issued an Order denying without prejudice the parties' Joint
23 Motion to Seal for failure to comply with the *Center for Auto Safety* opinion. ECF Nos. 66, 80. In
24 the Order, the Court directed the parties to file renewed Motions to Seal and redacted filings by
25 May 4, 2016. ECF No. 80.

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27 On May 1, 2016, revised Local Rules took effect (the "New Local Rules").

28 II.

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For the foregoing reasons, Bartech respectfully requests that this Court grant its Unopposed Motion to Suspend the Local Rules for a Limited Purpose.

DATED: May 3, 2016

PARSONS BEHLE & LATIMER

/s/ Michael R. Kealy

Michael R. Kealy, Nevada Bar No. 971
Ashley C. Nikkel, Nevada Bar No. 12838
50 W. Liberty Street, Suite 750
Reno, Nevada 89501
Telephone: (775) 323-1601
Facsimile: (775) 348-7250
E-mail: mkealy@parsonsbehle.com
anikkel@parsonsbehle.com

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Gregory T. Lawrence, Esq.
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Kyle S. Kushner, Esq.
(Admitted Pro Hac Vice)

CONTI FENN & LAWRENCE LLC
36 S. Charles Street, Suite 2501
Baltimore, MD 21201
Telephone: (410) 837-6999
E-mail: greg@lawcfl.com
kyle@lawcfl.com

Attorneys for Plaintiff
BARTECH SYSTEMS INTERNATIONAL, INC.

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: May 4, 2016

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the law firm of Parsons Behle & Latimer and that on the 3rd day of May, 2016, I filed a true and correct copy of the foregoing **UNOPPOSED MOTION TO SUSPEND LOCAL RULES FOR A LIMITED PURPOSE** with the Clerk of the Court through the Court's CM/ECF system, which sent electronic notification to the following:

Patrick G. Byrne, Esq.
Michael D. Stein, Esq.
Sherry Ly, Esq.
Snell & Wilmer L.L.P.
3883 Howard Hughes Parkway, Suite 1100
Las Vegas NV 89169
pbyrne@swlaw.com
mstein@swlaw.com
sly@swlaw.com

/s/ Tracy L. Brown
Employee of Parsons Behle & Latimer