

SANTORO WHITMIRE

10100 W. Charleston Blvd., Suite 250, Las Vegas, Nevada 89135
(702) 948-8771 – fax (702) 948-8773

1 NICHOLAS J. SANTORO, ESQ.
 Nevada Bar No. 0532
 2 OLIVER J. PANCHERI, ESQ.
 Nevada Bar No. 7476
 3 JASON D. SMITH, ESQ.
 Nevada Bar No. 9691
 4 **SANTORO WHITMIRE**
 5 10100 W. Charleston Blvd., Suite 250
 Las Vegas, Nevada 89135
 6 Tel.: (702) 948-8771 / Fax: (702) 948-8773
 7 Email: nsantoro@santoronevada.com
opancheri@santoronevada.com
 8 jsmith@santoronevada.com

9 *Attorneys for Plaintiff/Counterdefendant Desert Palace, Inc.*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DESERT PALACE, INC., d/b/a CAESARS
 13 PALACE, a Nevada corporation,

14 Plaintiff,

15 v.

16 ANDREW P. MICHAEL, an individual; DOES 1
 17 through 10, inclusive; ROE CORPORATIONS 1
 18 through 10, inclusive,

19 Defendants.

20 ANDREW P. MICHAEL, an individual,

21 Counterclaimant,

22 v.

23 DESERT PALACE, INC., d/b/a CAESARS
 24 PALACE, a Nevada corporation; ROE
 CORPORATIONS 1 through 10, inclusive,

25 Counterdefendant.

Case No.: 2:16-cv-0462-JAD-GFW

(From District Court, Clark County, Nevada,
 Case No. A-15-720492-C)

**STIPULATED AND PROPOSED ORDER
 TO EXTEND TIME TO FILE BILL OF
 COSTS AND MOTION FOR
 ATTORNEY’S FEES
 (First Request)**

ECF No. 79

26
 27 IT IS HEREBY STIPULATED and agreed by and between Plaintiff/Counterdefendant
 28 DESERT PALACE, INC. (“Plaintiff”) and Defendant/Counter-claimant ANDREW P.

1 MICHAEL (“Defendant”) (together, the “Parties”), by and through their respective undersigned
2 counsel, as follows:

3 **WHEREAS**, on June 22, 2017, the Court entered its Order on Motions for Summary
4 Judgment and Plaintiff’s Objections to Magistrate Judge’s Order (the “Summary Judgment
5 Order”) [ECF No. 77];

6 **WHEREAS**, the Summary Judgment Order did not resolve all of the claims and
7 counterclaims pending in the case;

8 **WHEREAS**, the Court has scheduled a mandatory settlement conference on August 30,
9 2017 to resolve any remaining claims and issues;

10 **WHEREAS**, the Parties agree that the deadline under LR 54-14 for the filing of a motion
11 for attorney’s fees was not triggered by the Summary Judgment Order because it did not dispose
12 of all of the claims and counterclaims pending in this matter;

13 **WHEREAS**, a question exists as to whether the deadline under LR 54-1 for filing a bill
14 of costs was potentially triggered by the Summary Judgment Order;

15 **WHEREAS**, the Parties agree that interests of judicial economy are best served by
16 extending the deadline for filing a bill of costs and a motion for attorney’s fees until after all of
17 the claims and counterclaims pending in this matter have been finally resolved;

18 **IT IS HEREBY STIPULATED AND AGREED** by and between the Parties that the
19 deadlines under LR 54-1 and LR 54-14 for filing a bill of costs and any motion for attorney’s
20 fees are hereby extended (to the extent that either deadline was triggered by the Summary
21 Judgment Order) to 14 days after the entry of the final judgment or other order disposing of this
22 matter in its entirety including all claims and counterclaims;

23 **IT IS HEREBY FURTHER STIPULATED AND AGREED** that by entering into this
24 Stipulation and Order neither Party is conceding that the deadlines under LR 54-1 or LR 54-14
25 were, or were not, triggered by the Summary Judgment Order. Rather, the Parties enter into this
26 Stipulation and Order solely out of an abundance of caution and to avoid motion practice
27 regarding a potentially premature bill of costs and/or motion for attorney’s fees. This Stipulation
28 and Order shall not prevent the Parties from filing a bill of costs and/or a motion for attorney’s

1 fees at any time prior to the deadline set forth herein. Nothing in this Stipulation and Order shall
2 be construed as a waiver of any rights or an admission of any matter. The Parties expressly
3 reserve all rights, claims, and defenses in this action.

4 Date: July 5, 2017

Date: July 5, 2017

5 **SANTORO WHITMIRE**

HOGAN HULET PLLC

6 /s/Oliver J. Pancheri

/s/ Kenneth E. Hogan

7 NICHOLAS J. SANTORO, ESQ.

KENNETH E. HOGAN, ESQ.

8 Nevada Bar No. 532

Nevada Bar No. 10083

9 OLIVER J. PANCHERI, ESQ.

JEFFREY L. HULET, ESQ.

10 Nevada Bar No. 7476

Nevada Bar No. 10621

11 JASON D. SMITH, ESQ.

1140 N. Town Center Drive, Suite 300

12 Nevada Bar No. 9691

Las Vegas, Nevada 89144

13 101000 W. Charleston Blvd., Suite 250

Tel.: (702) 800-5482 / Fax: (702) 800-5482

14 Las Vegas, Nevada 89135

Email: ken@h2legal.com

15 Tel.: (702) 948-8771 / Fax: (702) 948-8773

jeff@h2legal.com

16 Email: nsantoro@santoronevada.com

Attorneys for Defendant Andrew P. Michael

17 opancheri@santoronevada.com

18 jsmith@santoronevada.com

19 *Attorneys for Plaintiff Desert Palace, Inc.*

IT IS SO ORDERED:

20
21
22
23
24
25
26
27
28


U.S. District Judge Jennifer Dorsey

July 6, 2017