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6 **UNITED STATES DISTRICT COURT**  
 7 **DISTRICT OF NEVADA**

8 LUX STERLING HOLDINGS, LLC, a )  
 9 Nevada Limited Liability Company, )  
 10 )  
 11 Plaintiff, )  
 12 )  
 13 vs. )  
 14 PHILIP WHELAN, ANTHONY )  
 15 MANERBINO, DAWNA MANERBINO, )  
 16 AARON GODBOUT, and CNW, LLC, a )  
 17 Colorado Limited Liability Company, )  
 18 )  
 19 Defendants. )

Case No.: 2:16-cv-01240-RFB-VCF

**UNOPPOSED MOTION TO EXTEND  
 PLAINTIFF’S TIME TO RESPOND  
 TO MOTION TO DISMISS**

16 COMES NOW plaintiff Lux Sterling Holdings, LLC (“Sterling”), by and through its  
 17 attorney of record, Boris Avramski, Esq., and hereby files this unopposed motion pursuant to  
 18 Rule 6(b)(A)(1) to extend by two weeks Sterling’s time to respond to the Motion to Dismiss or  
 19 Transfer Action [Doc# 12] filed by defendants Philip Whelan, Anthony Manerbino, Dawna  
 20 Manerbino, and CNW, LLC (the “Moving Defendants”).

21 In support of this motion, Sterling states as follows:

22 1. The Motion to Dismiss or Transfer Action was filed on July 5, 2016 and  
 23 Sterling’s response is currently due on July 22, 2016. This unopposed motion seeks to extend  
 24 that due date by two weeks, until August 5, 2016.

25 2. The extension is necessary in light of the following factors: (i) the number and  
 26 complexity of the issues raised in the Motion to Dismiss or Transfer Action; (ii) the heavy  
 27 litigation schedule of Sterling’s trial counsel; and (iii) a medical emergency in the family of  
 28 Sterling’s manager, Phil Neuman, which prevented Sterling’s counsel from consulting with Mr.

1 Neuman about the motion until today, July 19, 2016, only three days before the current due date  
2 of July 22, 2016.

3 3. On July 19, 2016, counsel for the Plaintiff contacted counsel for the Defendants  
4 wherein they agree to extend the time to file an opposition to the Motion to Dismiss or Transfer  
5 Action by two weeks.

### 6 CONCLUSION

7 75. The due date for Sterling to respond to the Motion to Dismiss or Transfer [Doc#  
8 12] should be extended by two weeks, from July 22, 2016 until August 5, 2016. A proposed  
9 Order is annexed as Exhibit A.

10 Dated this 21<sup>st</sup> day of July, 2016.

11 AVRAMSKI LAW, PC

12 /s/ Boris Avramski  
13 Boris Avramski, Esq.  
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22 Of Counsel:  
23 Edward Griffith, Esq.  
24 THE GRIFFITH FIRM  
25 45 Broadway, Suite 2200  
26 New York, New York 10006  
27 (212) 363-3784  
28 (212) 363-3790 (fax)

1 **CERTIFICATE OF SERVICE**

2 I, Boris Avramski, Esq., hereby certify that on July 21, 2016, I served the foregoing  
3 **UNOPPOSED MOTION TO EXTEND PLAINTIFF'S TIME TO RESPOND TO**  
4 **MOTION TO DISMISS** by the following means to the persons listed below:

5  
6  X  ECF System to:

7  
8 Richard T Cunningham  
9 Richard Cunningham Law  
10 Email: rick@rcunninghamlaw.com  
11 Attorney for Defendants

12 **I declare under penalty of perjury that the foregoing is true and correct.**

13 Dates this 21<sup>st</sup> day of July, 2016.

14  /s/Boris Avramski   
15 Boris Avramski, Esq.

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Case No.: 2:16-cv-01240-RFB-VCF

**ORDER EXTENDING PLAINTIFF'S  
TIME TO RESPOND TO MOTION  
TO DISMISS UNTIL AUGUST 5, 2016**

16 Upon the unopposed motion of plaintiff Lux Sterling Holdings, LLC (“Sterling”) to  
17 extend by two weeks the due date for its response to the Motion to Dismiss or Transfer Action  
18 [Doc# 12] filed by defendants Philip Whelan, Anthony Manerbino, Dawna Manerbino, and  
19 CNW, LLC (the “Moving Defendants”); and in light of the Moving Defendants’ consent to the  
20 motion; and for good shown, it is

21 HEREBY ORDERED that the due date for Sterling’s response to the Motion to Dismiss  
22 or Transfer Action [Doc# 12] is hereby extended by two weeks from July 22, 2016, to August 5,  
23 2016.

24 Dated this 27th day of July, 2016



25  
26  
27 Hon. Richard F. Boulware, II,  
28 District Court Judge