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 Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

8 TONY THUYEN, an individual,

Case No. 2:16-CV-01822-RFB-PAL

9 Plaintiff,

**JOINT MOTION FOR EXTENSION
 OF TIME FOR DEFENDANT TO
 ANSWER, MOVE OR OTHERWISE
 PLEAD IN RESPONSE TO
 PLAINTIFF'S COMPLAINT**

10 vs.

11 KELLY HAHN, an individual,

12 Defendant.

14 COME NOW, both parties and respectfully request that the Court grant the Defendant
 15 an extension of time to respond to Plaintiff's Complaint. The Court should grant this Joint
 16 Motion for the reasons specified in the accompanying Memorandum in Support. A proposed
 17 order is also attached for the Court's convenience.

18 Dated this 13th day of September, 2016.

19
 20 /s/ Patrick N. Chapin
 Patrick N. Chapin 004946 (NV)
 21 Attorney for Plaintiff
 Patrick N. Chapin, Ltd.
 22 129 Cassia Way
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 23 (702) 433-7295

/s/ Kelly Hahn
 Kelly Hahn
 24 *Pro Se*
 3265 C Madison Ave.
 25 Apt. 105
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 26 (513) 535-3192

MEMORANDUM IN SUPPORT

1
2 Plaintiff, Tony Thuyen (“Plaintiff” or “Thuyen”) filed suit in the instant case against
3 Defendant, Kelly Hahn (“Defendant” or “Hahn”). Prior to this suit being filed, Hahn had filed
4 suit against Thuyen and Prescribe Wellness LLC, in the Superior Court of Orange County,
5 California. Thuyen lives in California and Hahn lives in Ohio. Settlement discussions to
6 resolve both cases are in advanced stages and Thuyen and Hahn anticipate full settlement in
7 both the instant case and the California case by the end of the current month.

8 However, the deadline for Hahn to answer, move or otherwise plead in response to
9 Thuyen’s Complaint is September 13, 2016. In order to allow sufficient time for the
10 conclusion of settlement discussions, and in order to allow Hahn time to obtain counsel in
11 Nevada should it actually be necessary for her to respond to Thuyen’s Complaint, the parties
12 have agreed, subject to the Court’s approval, that the deadline may be extended 20 days to
13 October 3, 2016.

14 The parties recognize that this request for an extension is being filed less than three
15 days prior to the deadline at issue. However, extraordinary circumstances present just cause
16 for granting the request. First, Robert F. Croskery, the managing partner of the Ohio law firm
17 that represents Hahn, was in a serious car accident on the evening of September 6, 2016. He
18 was hit by a driver who ran a red light, suffering a head injury and other injuries, which kept
19 him out of work for the remainder of the week. At the same time, counsel for Thuyen was in
20 a bench trial for much of the past week. These issues, coupled with the fact that the parties
21 are engaged in detailed negotiations with respect to the California case as well, with the
22 parties having counsel in three different states, has presented a major challenge and caused
23 negotiations to take longer than they typically would. However, again, the parties anticipate
24 having the entire litigation between them settled (and this case dismissed) by no later than the
25 end of the month.

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

8 TONY THUYEN, an individual,

Case No. 2:16-CV-01822-RFB-PAL

9 Plaintiff,

10 vs.

11 KELLY HAHN, an individual,

12 Defendant.
13

14 **ORDER GRANTING JOINT MOTION**
15 **FOR EXTENSION OF TIME FOR DEFENDANT TO ANSWER,**
16 **MOVE OR OTHERWISE PLEAD IN RESPONSE TO PLAINTIFF'S COMPLAINT**

17 This matter came before the Court on the parties' **JOINT MOTION FOR**
18 **EXTENSION OF TIME FOR DEFENDANT TO ANSWER, MOVE OR OTHERWISE**
19 **PLEAD IN RESPONSE TO PLAINTIFF'S COMPLAINT.** Said Motion is found to be
20 well-taken and is hereby granted.

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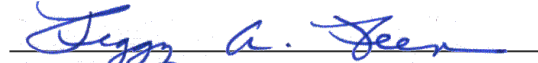
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IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The deadline for Hahn to answer, move or otherwise plead in response to Thuyen's Complaint is extended by 20 days; as such Plaintiff shall have until October 3, 2016 to answer, move or otherwise plead.

IT IS SO ORDERED.

Dated: September 15, 2016


Peggy A. Leen
United States Magistrate Judge

Respectfully submitted,

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