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

9 ANDREW GOLDBERGER, an  
 individual;

10 Plaintiff,

11 vs.

12 SMARTCAREOS, LLC, a Delaware  
 13 limited liability company; SMART  
 TUITION HOLDINGS, LLC, a  
 14 Delaware limited liability company;  
 LYRICAL PARTNERS, L.P., a  
 15 Delaware limited partnership; DOES 1  
 through 10; ROE ENTITIES 11 through  
 16 20, inclusive,

17 Defendants.

CASE NO.: 2:16-cv-01884-RFB-NJK

**JURISDICTIONAL DISCOVERY PLAN  
 AND SCHEDULING ORDER**

**(APPLICABLE TO LYRICAL PARTNERS,  
 L.P.)**

**SPECIAL SCHEDULING REVIEW  
 REQUESTED**

18 Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 26-1(3), and the Court's ruling during  
 19 the June 23, 2017 hearing on Defendants' Motion to Dismiss (Dkt. No. 14), plaintiff Andrew  
 20 Goldberger ("Plaintiff") and defendants SmartCareOS, LLC, Smart Tuition Holdings, LLC and  
 21 Lyrical Partners, L.P. (collectively, "Defendants"), through their respective undersigned counsel,  
 22 hereby submit this Jurisdictional Discovery Plan and Scheduling Order.

23 1. During the June 23, 2017 hearing on Defendants' Motion to Dismiss (Dkt. No.  
 24 14) the Court granted Plaintiff 90 days in which to conduct discovery limited to whether the  
 25 court has personal jurisdiction over defendant Lyrical Partners, L.P. based on Plaintiff's alter ego  
 26 allegations in this case ("Jurisdictional Discovery").

27 2. The Jurisdictional Discovery will be completed on or before **September 21, 2017**.  
 28

1           3.       Following the cutoff of the Jurisdictional Discovery deadline, Defendants may  
2 renew their motion to dismiss Plaintiff's claims against Lyrical Partners, L.P. for lack of  
3 jurisdiction by **October 2, 2017**. If Defendants choose not to renew their motion to dismiss,  
4 Lyrical Partners, L.P. will be required to file an answer to the Complaint by **October 2, 2017**.

5           4.       Should the Court determine that it has personal jurisdiction over Lyrical Partners,  
6 L.P., the Revised Discovery Plan and Scheduling Order (Dkt # \_\_) shall apply to Lyrical  
7 Partners, L.P.

8                   DATED this 10<sup>th</sup> day of July, 2017.

10           McDONALD CARANO LLP

BAILEY KENNEDY

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20           Attorneys for Defendants SmartCareOS, LLC,  
21           Smart Tuition Holdings, LLC and Lyrical  
22           Partners, L.P.

19                   IT IS SO ORDERED:

20                     
21                   UNITED STATES MAGISTRATE JUDGE

22                   DATED: July 11, 2017