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*Attorneys for Defendants SmartCareOS, LLC;
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 Partners, L.P.*

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

12 ANDREW GOLDBERGER, an individual;
 13
 Plaintiff,
 14
 vs.
 15 SMARTCAREOS, LLC, a Delaware limited
 liability company; SMART TUITION
 16 HOLDINGS, LLC, a Delaware limited liability
 company; LYRICAL PARTNERS, L.P., a
 17 Delaware limited partnership; DOES 1 through
 10; ROE ENTITIES 11 through 20, inclusive,
 18
 Defendants.
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Case No.: 2:16-cv-01884-RFB-NJK

**STIPULATION AND ORDER EXTENDING
 DEADLINE FOR JURISDICTIONAL
 DISCOVERY (APPLICABLE TO LYRICAL
 PARTNERS, L.P.) AND DEADLINE TO
 RENEW MOTION TO DISMISS OR
 RESPOND TO COMPLAINT
 (FIRST REQUEST)**

20 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Andrew
 21 Goldberger (“Plaintiff”) and Defendants SmartCareOS, LLC (“SmartCare”); Smart Tuition
 22 Holdings, LLC (“Smart Tuition”); and Lyrical Partners, L.P. (“Lyrical”) (collectively, the “Parties”),
 23 through their undersigned counsel, as follows:

24 1. Pursuant to the Court’s Order on Defendants Motion to Dismiss and the Parties’
 25 Jurisdictional Discovery Plan and Scheduling Order (Applicable to Lyrical Partners, L.P.) [ECF No.
 26 40] (“Jurisdictional Discovery Plan”), Plaintiff’s deadline to complete jurisdictional discovery is
 27 September 21, 2017. Following the jurisdictional discovery cutoff, Lyrical may renew its Motion to
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1 Dismiss Plaintiff's claims against Lyrical for lack of jurisdiction by October 2, 2017. If Lyrical
2 chooses not to renew its Motion to Dismiss, its Answer to the Complaint is due by October 2, 2017.

3 2. Plaintiff and Lyrical have engaged in written discovery concerning jurisdictional
4 matters, Plaintiff desires to take approximately seven depositions concerning discovery. Some of
5 those depositions will occur out of state (i.e. in New York) and at least one witness will be traveling
6 from out of state to Nevada.

7 3. The Parties have agreed to extend the jurisdictional discovery deadline from
8 September 21, 2017, until October 5, 2017. Likewise, the Parties have agreed to extend the related
9 deadline for Lyrical Partners, L.P. to renew its Motion to Dismiss or to file an Answer from October
10 2, 2017 to October 16, 2017.

11 4. The Parties submit that good cause exists for the extension. A number of depositions
12 will occur out of state and at least one witness will be traveling from out of state to Nevada for
13 deposition. The Parties are seeking to group the depositions to eliminate excess travel. However,
14 due to existing schedules of the deponents and counsel, the depositions cannot be completed by
15 September 21, 2017. The Parties have discussed and identified available dates and therefore have
16 requested only a two week extension.

17 DATED this 3st day of August, 2017.

DATED this 31st day of August, 2017.

18 BAILEY ❖ KENNEDY

MCDONALD CARANO WILSON LLP

19 By: /s/ Joshua M. Dickey

BY: /s/ Aaron D. Shipley

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25 *Smart Tuition Holdings, LLC; and Lyrical*
26 *Partners, L.P.*

Attorneys for Plaintiff Andrew Goldberger

IT IS SO ORDERED:



26 RICHARD F. BOULWARE, II
27 United States District Judge

28 DATED: August 31, 2017.