

1 D. NEAL TOMLINSON
Nevada Bar No. 06851
2 neal@hyperionlegal.com
KRISTINA R. KLEIST
3 Nevada Bar No. 13520
kristina@hyperionlegal.com
4 Hyperion Advisors
3960 Howard Hughes Parkway, Suite 500
5 Las Vegas, Nevada 89169
Telephone: (702) 990-3901
6 Fax: (702) 999-3501

7 Attorneys for Defendants

8
9 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

10
11 FEDERAL TRADE COMMISSION,

12 Plaintiff,

13 v.

14 OMICS GROUP INC., et al.,

15 Defendants.

Case No. 2:16-cv-02022-GMN-VCF

STIPULATION AND [PROPOSED]
ORDER TO EXTEND RESPONSE
DEADLINE

16
17 Defendants, OMICS GROUP INC., IMEDPUB LLC, CONFERENCE SERIES LLC,
18 and SRINUBABU GEDELA, by and through counsel of record, D. Neal Tomlinson and
19 Kristina R. Kleist, and Plaintiff, FEDERAL TRADE COMMISSION, by and through counsel of
20 record, Gregory A. Ashe and Michael E. Tankersley, hereby agree and stipulate as follows:

- 21 1. On May 1, 2018, Plaintiff filed its Motion to for Summary Judgment, (Dkt. No. 86).
- 22 2. Defendants also filed their Motion for Summary Judgment on May 1, 2018 (Dkt. No.
23 89).
- 24 3. Plaintiff's Motion for Summary Judgment is quite extensive, being over 50 pages
25 itself and referencing 27 exhibits, including a declaration with exhibits of over 1,000
26 pages.
- 27 4. Plaintiff filed their Opposition to Defendants' Motion for Summary Judgment on
28 May 22, 2018 (Dkt. No. 97).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Plaintiff also filed a Motion to Strike the Declaration of Kishore Vattikoti, part of Defendants' Motion for Summary Judgment, on May 22, 2018 (Dkt. No. 96).
6. This Court granted a stipulation for extension of time for the parties to respond to the respective Motions for Summary Judgment (Dkt. No. 98).
7. The parties filed a second stipulation for extension of time to respond to the respective Motions for Summary Judgment to June 8, 2018 (Dkt. No. 99).
8. Currently, pursuant to stipulation, responses to the Motions for Summary Judgment are due on June 8, 2018 and Defendants' response to the Motion to Strike the Declaration of Kishore Vattikoti is due on June 8, 2018.
9. Additionally, because Plaintiff has already filed their Opposition to Defendants' Motion for Summary Judgment, Defendants' Reply is due June 8, 2018.
10. Defense counsel has been dealing with multiple family medical issues that have required counsel to be out of the office, and additional time is needed to confer with Defendants and respond to the pending filings.
11. In addition, additional time is necessary due to the fact that all Defendants are located in India, and that language, time zones and geographical barriers have presented significant challenges in that defense counsel has encountered difficulty explaining and communicating with the Defendants regarding the many issues and complexities of the pending motions.
12. Plaintiff's counsel has agreed to extend the June 8, 2018 response date to the Motion for Summary Judgment and the June 8, 2018 response date for the Motion to Strike and the Reply to Plaintiff's Opposition to Defendants' Motion for Summary Judgment to June 22, 2018.

1 13. This Stipulation is being made in good faith between and at the request of both
2 parties, and not for purposes of delay.

3 HYPERION ADVISORS FEDERAL TRADE COMMISSION

4 Dated this 7th day of June, 2018. Dated this 7th day of June, 2018.

5 /s/ D. Neal Tomlinson /s/ Gregory A. Ashe

6 D. NEAL TOMLINSON ALDEN F. ABBOTT
Nevada Bar No. 06851 General Counsel
7 KRISTINA R. KLEIST GREGORY A. ASHE
Nevada Bar No. 13520 MICHAEL E. TANKERSLEY
8 3960 Howard Hughes Parkway, Suite 500 Federal Trade Commission
Las Vegas, Nevada 89169 600 Pennsylvania Avenue NW
Washington, DC 20850

9 Attorneys for Defendants Attorneys for Plaintiff

10

11

12

ORDER

13
14 Pursuant to the stipulation of the parties, the deadline for Defendants to file their
15 response to Plaintiff's Motion for Summary Judgment, their reply to Plaintiff's Opposition to
16 Defendants' Motion for Summary Judgment, and their response to Plaintiff's Motion to Strike is
17 hereby extended to June 22, 2018.

18 **IT IS SO ORDERED.**

19 Dated this 20 day of June, 2018.

20

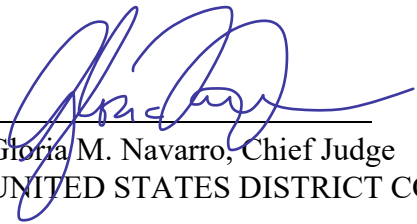
21
22 Respectfully submitted by:

23 HYPERION ADVISORS

24
25 /s/ D. Neal Tomlinson

26 D. NEAL TOMLINSON
Nevada Bar No. 06851
27 KRISTINA KLEIST
Nevada Bar No. 13520
Attorneys for Defendants

28


Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The undersigned hereby certifies that on June 7, 2018, a true and correct copy of the foregoing **STIPULATION AND [PROPOSED] ORDER TO EXTEND RESPONSE DEADLINE** was filed electronically with the United States District Court for the District of Nevada using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/ D. Neal Tomlinson
Attorney for Defendants