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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

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17 **STIPULATION AND ORDER TO**
EXTEND RESPONSE DEADLINE

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

- 21 1. On March 23, 2018, Plaintiff filed its Motion to for Sanctions Regarding Solicitation
22 Evidence (Dkt. No. 72).
- 23 2. On April 2, 2018, a hearing took place on Plaintiff's Motion to Compel (Dkt. No. 63)
24 and Motion to Compel to Determine the Sufficiency of Answers to Requests for
25 Admissions (Dkt. No. 66).
- 26 3. On April 4, 2018, a Minute Order was issued granting Plaintiff's Motions and
27 requiring Defendants to provide complete responses (Dkt. No. 73).

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- 1 4. Additionally, pursuant to the Minute Order, the parties are required to file a joint
2 status report concerning any outstanding discovery by April 23, 2018 and thereafter a
3 hearing will be set on Plaintiff's Motion for Sanctions. The Scheduling Order in this
4 action also provides that the deadline for dispositive motions is April 23, 2018. (Dkt.
5 No. 57).
- 6 5. Plaintiff and Defendants have exchanged multiple communications since the April 2,
7 2018 hearing regarding Plaintiff's outstanding discovery concerns.
- 8 6. Currently, Defendants provided Plaintiff with a letter response to Plaintiff's April 10,
9 2018 letter on April 19, 2018 and are formulating additional revised written
10 responses to rectify multiple concerns addressed in the April 10, 2018 letter.
- 11 7. Plaintiff has agreed to, and this Court has granted, two extensions of time for
12 Defendants to respond to Plaintiff's Motion for Sanctions that have extended this
13 date to April 20, 2018 (Dkt. Nos. 75, 78).
- 14 8. Defense counsel has been dealing with an unexpected family medical emergency and
15 is in need of additional time to finalize Defendants' revised discovery responses,
16 Defendants' Opposition to Plaintiff's Motion for Sanctions, and prepare for other
17 upcoming deadlines.
- 18 9. As a courtesy and accommodation, Plaintiff's counsel has agreed to extend to April
19 27, 2018, three deadlines that currently call for filings on April 20 and 23: the
20 deadline for Defendants to file an opposition to Plaintiff's Motion for Sanctions, the
21 deadline for both parties to file dispositive motions, and the deadline to file the joint
22 status report on Defendants' responses to discovery addressed at the April 2, 2018
23 hearing.
- 24 10. If the requested extension is granted, the parties will file an initial joint status report
25 on April 23, 2018 concerning the discovery addressed at the April 2, 2018 hearing
26 (Dkt. No. 73).

1 11. 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 20th day of April, 2017. Dated this 20th day of April, 2017.

5 /s/ D. Neal Tomlinson /s/ Michael E. Tankersley

6 D. NEAL TOMLINSON DAVID C. SHONKA
Nevada Bar No. 06851 Acting 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
9 Washington, DC 20850

10 Attorneys for Defendants Attorneys for Plaintiff

11 **ORDER**

12 Pursuant to the stipulation of the parties, the deadline for Defendants to file an
13 opposition to Plaintiff's Motion for Sanctions, the deadline for both parties to file dispositive
14 motions, and the deadline for the parties' joint status report on Defendants' responses to
15 discovery addressed at the April 2, 2018 hearing are hereby extended to April 27, 2018.
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17 **IT IS SO ORDERED.**

18 Dated this 23rd day of April, 2018.

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20 _____
21 Cam Ferenbach
United States Magistrate Judge

21 Respectfully submitted by:

22 HYPERION ADVISORS

23 /s/ D. Neal Tomlinson

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

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CERTIFICATE OF SERVICE

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The undersigned hereby certifies that on April 20, 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