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

8 LHF PRODUCTIONS, INC., a Nevada
 9 Corporation,

Plaintiff,

vs.

11 MARIA GONZALEZ, an individual;
 12 BRIAN KABALA, an individual; JOHN
 13 KOEHLI, an individual; DANIEL
 O'CONNELL, an individual; DONALD
 14 PLAIN, an individual; ANTE SODA, an
 individual; MATTHEW STEWART, an
 individual; and JOHN AND JANE DOES.

Defendants

16 _____
 17 BRIAN KABALA, an individual;

Counter-Plaintiff,

vs.

20 LHF PRODUCTIONS, INC., a Nevada
 Corporation,

Counter-Defendant,

Case No.: 2:16-cv-02028-JAD-NJK

**STIPULATION AND ORDER TO
 EXTEND TIME TO FILE REPLY IN
 SUPPORT OF COUNTER-DEFENDANT'S
 RENEWED MOTION TO WITHDRAW
 CONSTRUCTIVE ADMISSIONS**

(First Request)

23 Pursuant to Local Rule IA 6-1(a) and Fed.R.Civ.P. 6(b)(1)(A), Counter-Defendant, LHF
 24 PRODUCTIONS, INC. (hereafter referred to as "Counter-Defendant" or "LHF"), and Counter-
 25 Plaintiff BRIAN KABALA ("Counter-Plaintiff" or "Kabala"), by and through their undersigned
 26 counsel, stipulate to a three-day extension for LHF to file its Reply ("Reply") to Kabala's
 27 Opposition (ECF 147) to LHF's Renewed Motion to Withdraw Constructive Admissions (ECF
 28 146) from June 5, 2018, to June 8, 2018. This is the first request for such an extension.

1 LR IA 6-1 and Fed.R.Civ.P. 6(b)(1)(A) provide that stipulations to extend time may be
2 granted upon a showing of good cause when brought prior to the expiration of the relevant
3 deadline. “Good cause’ is a non-rigorous standard that has been construed broadly across
4 procedural and statutory contexts.” *Id.* citing *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253,
5 1259 (9th Cir. 2010) (discussing “good cause” in the context of Fed. R. Civ. P. 6(b)(1)). It
6 generally involves a case-by-case assessment of whether there is some good reason for the delay
7 or requested extension in the absence of bad faith and prejudice to the non-moving party. *See id.*
8 at 1109-1110. Generally, there is good cause to extend time to permit a party to discuss factual
9 or procedural matters with its counsel that may be relevant to the pending brief or to provide
10 adequate time under the circumstances to permit a party to fairly respond to the legal issues raised
11 in the preceding brief.

12 As set forth in the Declaration of Mr. Austin, counsel for LHF, attached hereto as Exhibit
13 1, these are precisely the reasons for the requested brief extension. Mr. Austin was not counsel
14 for LHF when the facts and circumstances arose giving rise to the Renewed Motion to Withdraw
15 (ECF 147). As such, he must consult with his client and counsel of record at the time to be
16 appraised of factual and procedural matters raised in the Opposition. (Austin Decl. at ¶3.) As of
17 the time of bringing this filing he had not yet been able to fully confer on these matters due to
18 scheduling conflicts and his own workload, including the necessity of briefing and filing an
19 opposition to a motion in an unrelated matter yesterday, June 4, 2018. *Id.* at ¶4. Thus, absent the
20 brief extension requested, to which counsel for Counter-Plaintiff have graciously stipulated, LHF
21 would not be able to fairly respond to the Opposition filed in this matter. *Id.* at ¶5.

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1 As seeking a brief extension to confer with counsel and to secure adequate time to fairly
2 respond constitute good cause for the requested extension, and as Counter-Plaintiffs have
3 stipulated to the same and will not, therefore, be prejudiced by the requested extension, this
4 stipulation should be granted.

5 DATED this 5th day of June 2018.

6 By: /s/ F. Christopher Austin
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Attorney for Counter-Plaintiff Brian Kabala

14
15 **ORDER**

16 IT IS SO ORDERED

17 Dated June 6, 2018

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20 UNITED STATES MAGISTRATE JUDGE