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 13 *SETH MANHEIMER*

14 **UNITED STATES DISTRICT COURT**
 15 **DISTRICT OF NEVADA**

17 SETH MANHEIMER, individually,
 and derivatively on behalf of
 18 TruFusion Yoga, LLC,
 19 **Plaintiff,**
 20 v.
 21 TRUFUSION YOGA, LLC, etc., et al.,
 22 **Defendants.**

Case No. 2:16-cv-02186-JCM-NJK
**STIPULATION FOR LIMITED
 DISCOVERY RELATED TO RECENT
 DEVELOPMENTS**
(First Request)

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1 The Plaintiff, Seth Manheimer, and the Defendants, TruFusion Yoga LLC,
2 TruFusion LLC, and TruFusion Franchising LLC (collectively, “TruFusion”), Michael
3 Borden, Martin Hinton, stipulate and agree as follows:

4 1. Since the close of discovery in this case, multiple events have occurred that
5 are potentially relevant to issues in this case. As supplemental discovery responses,
6 Defendants have provided Plaintiff with numerous documents containing information
7 potentially relevant to this case. Most recently, Plaintiff received numerous additional
8 documents on August 2, 2018.

9 2. Manheimer has requested additional discovery related to certain events that
10 have occurred since the close of discovery and related to certain documents that have been
11 produced since the close of discovery. Counsel for the parties have met and conferred
12 about this request.

13 3. In response to the conference between counsel, the Defendants provided
14 Manheimer, on August 23, 2018, with access to additional documents, which Manheimer’s
15 counsel are in the process of reviewing.

16 4. In addition, the parties have agreed that discovery be reopened for the limited
17 purpose of permitting Manheimer to conduct any or all of the following depositions:

18 (a) A deposition of TruFusion under Federal Rule of Civil Procedure 30(b)(6) not
19 to exceed five hours, on subjects related to events that have occurred since the close of
20 discovery and related to documents that have been produced since the close of discovery.
21 The parties have agreed that this will be conducted on August 29, 2018, beginning at noon,
22 at the offices of Koch & Scow in Las Vegas.

23 (b) Depositions (with associated document production) of potential investors in
24 TruFusion named TSG 7 B L.P. and Castanea Partners, Inc. (or, alternatively,
25 knowledgeable persons associated with them) on dates mutually agreeable to counsel for
26 the parties.

27 5. This is the first request to reopen discovery in this case. Manheimer reserves
28 rights to request further documents or information. Manheimer’s counsel will consult with

1 Defendants' counsel if Manheimer's counsel considers the information obtained via the
2 recently provided documents and the proposed depositions to be inadequate.

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4 Respectfully submitted,

5 Dated: August 24, 2018

ONE LLP

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7 By: /s/William J. O'Brien

8 William J. O'Brien

9 *Attorneys for Plaintiff, Seth Manheimer*

10 Dated: August 24, 2018

LAW OFFICES OF MARK C. FIELDS APC

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12 By: /s/Mark C. Fields

13 Mark C. Fields

14 *Attorneys for Defendants, Michael Borden, Martin*
15 *Hinton, TruFusion LLC, and TruFusion Franchising*
16 *LLC*

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20 IT IS SO ORDERED.

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23 Dated: 8/28/2018



24 UNITED STATES DISTRICT JUDGE