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8 Attorneys for Defendant
9 BRIAD RESTAURANT GROUP, LLC

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 TOBY EARL, an individual; SHYHEEM
13 SMITH, an individual; DEATRA ENARI,
14 and individual; MICHELLE PICKTHALL,
15 an individual; and JAMES SKADOWSKI,
16 an individual,

17 Plaintiffs,

18 vs.

19 BRIAD RESTAURANT GROUP, LLC., a
20 New Jersey limited liability company; and
21 DOES 1 through 100, inclusive,

22 Defendant.

23 Case No. 2:16-cv-02217-JAD-CWH

24 **STIPULATION TO EXTEND TIME FOR
DEFENDANT TO RESPOND TO
PLAINTIFFS' COMPLAINT AND
MOTION FOR SUMMARY JUDGMENT
(SECOND REQUEST)**

25 **ORDER**

26 Defendant BRIAD RESTAURANT GROUP, LLC., (hereinafter referred to as "Defendant")
27 and Plaintiffs TOBY EARL, SHYHEEM SMITH, DEATRA ENARI, MICHELLE PICKTHALL,
28 and JAMES SKADOWSKI, (hereinafter referred to as "Plaintiffs"), by and through their respective
counsel, hereby stipulate to a second extension of two (2) weeks, up to and including Monday,
December 5, 2016 for Defendant to answer or otherwise respond to Plaintiffs' Complaint for
Declaratory Relief (**ECF No. 1**) and an extension of time up to and including Tuesday, January 3,
2017 for Defendant to respond to Plaintiffs' Motion for Summary Judgment (**ECF No. 5**).

1 This request for an extension of time is made to allow counsel for Defendant additional time
2 to analyze the status of several pending appeals before the Nevada Supreme Court and two petitions
3 for writ of certiorari before the United States Supreme Court (*Epic Systems Corporation v. Jacob*
4 *Lewis*, No. 16-285, U.S. September 2, 2016 and *Ernst & Young LLP v. Morris*, No. 16-300, U.S.
5 September 8, 2016) that will directly impact the issues raised in this matter.

6 This is the second request for an extension of time to answer or otherwise respond to the
7 Amended Complaint and Plaintiff's Motion for Summary Judgment. This request is made in good
8 faith and not for the purpose of delay.

9
10 Dated: November 17, 2016

11 Respectfully submitted,

12
13 /s/ Bradley Schrager, Esq.

14 DON SPRINGMEYER, ESQ.
15 BRADLEY SCHRAGER, ESQ.
16 DANIEL HILL, ESQ.
17 DANIEL BRAVO, ESQ.
18 WOLF, RIFKIN, SHAPIRO, SCHULMAN &
19 RABKIN, LLP

20
21 Attorneys for Plaintiffs
22 TOBY EARL, SHYHEEM SMITH, DEATRA
23 ENARI, MICHELLE PICKTHALL, AND
24 JAMES SKADOWSKI

25 Dated: November 17, 2016

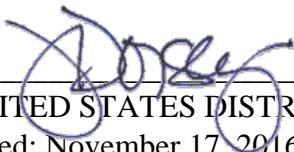
26 Respectfully submitted,

27 /s/ Kathryn B. Blakey, Esq.

28 RICK D. ROSKELLEY, ESQ.
29 ROGER L. GRANDGENETT II, ESQ.
30 MONTGOMERY Y. PAEK, ESQ.
31 KATHRYN B. BLAKEY, ESQ.
32 LITTLER MENDELSON, P.C.

33 Attorneys for Defendant
34 BRIAD RESTAURANT GROUP, LLC

35
36 **IT IS SO ORDERED.**

37
38 
39 UNITED STATES DISTRICT JUDGE
40 Dated: November 17, 2016.

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