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6
 7 UNITED STATES DISTRICT COURT
 8 DISTRICT OF NEVADA

9
 10 KEN KACHUR,

11 Plaintiff,

12 vs.

13 NAV-LVH, LLC dba WESTGATE LAS
 14 VEGAS RESORT & CASINO, a Nevada,
 Limited Liability Company,

15 Defendant.

Case No.: 2:16-cv-02899-JAD-CWH

**STIPULATION AND ORDER TO
 EXTEND DEADLINE TO FILE
 RENEWED MOTION FOR SUMMARY
 JUDGMENT**

(LR IA 6-1; 7-1)

(FIRST REQUEST)

16
 17 COME NOW, Defendant, named above, by and through its counsel of record, PHILLIP
 18 A. SILVESTRI, ESQ., and Plaintiff, by and through his counsel of record, MICHAEL P.
 19 BALABAN, ESQ., pursuant to Local Rules IA 6-1 and 7-1, and herein stipulate, agree and make
 20 joint application to extend Defendant's deadline to file a Renewed Motion for Summary
 21 Judgment for a period of two weeks, up to and including July 24, 2020. The present deadline is
 22 July 10, 2020.

23 This is the first stipulation for an extension of this deadline. This stipulation is made and
 24 based upon the following factors:

25 Based on the Ninth Circuit's determination in this case, the Court set a deadline for
 26 Defendant to file a new Motion for Summary Judgment (MSJ) on the now revived claim for
 27 violation of the Americans with Disabilities Act. ECF#58. The Court set the deadline for July
 28 10, 2020. Id. After filing, Plaintiff filed a Motion for Clarification in the Ninth Circuit requesting

1 confirmation of whether the Ninth Circuit remanded the case for further motion practice, or
2 simply a trial. The Ninth Circuit confirmed that this Court was permitted to consider a renewed
3 MSJ. Defendant has been diligently working to draft a renewed MSJ, but has encountered
4 unexpected absences and reduced staffing due to the coronavirus pandemic, making filing by the
5 current deadline impracticable.

6 Based on the foregoing, the parties request that this Court order that the deadline for
7 Defendant to file a renewed MSJ Reply in Support of its Motion for Summary Judgment for a
8 period of two (2) weeks, up to and including, July 24, 2020.

9 Dated: July 1, 2020

Dated: July 1, 2020


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18 IT IS SO ORDERED

19 
20 UNITED STATES DISTRICT JUDGE

21 DATED: 7/1/2020