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13 *Operating Company, LLC*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 TPOV ENTERPRISES 16, LLC, a Delaware
17 Limited Liability Company,

18 Plaintiff,
19 vs.

20 PARIS LAS VEGAS OPERATING
21 COMPANY, LLC, a Nevada limited liability
22 company,

23 Defendant.

24 PARIS LAS VEGAS OPERATING
25 COMPANY, LLC, a Nevada limited liability
26 company,

27 Counterclaimant.
28 vs.

29 TPOV ENTERPRISES, LLC, a Delaware
30 Limited Liability Company, TPOV
31 ENTERPRISES 16, LLC, a Delaware Limited
32 Liability Company, Rowen Siebel, an
33 individual.

34 Counter-defendants.

35 CASE NO. 2:17-cv-00346-JCM-VCF

36 **STIPULATION AND ORDER TO EXTEND
37 BRIEFING SCHEDULE REGARDING
38 MOTION TO STAY**

39 **(FIRST REQUEST)**

40 Pursuant to LR IA 6-1, Plaintiff/Counterdefendant TPOV Enterprises 16, LLC ("TPOV 16");
41 Counterdefendant TPOV Enterprises, LLC ("TPOV"); Counterdefendant Rowen Siebel ("Siebel")
42 (collectively, "Siebel and the TPOV Entities"); and Defendant/Counterclaimant Paris Las Vegas

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1 Operating Company, LLC ("Paris") (collectively, the "Parties"), by and through their undersigned
2 counsel of record, stipulate and agree as follows:

3 1. On May 25, 2021, the Parties stipulated to set a briefing schedule for a forthcoming
4 motion to stay. (ECF No. 297.)

5 2. On May 28, 20201, this Court entered an Order granting the Parties' Stipulation.
6 (ECF No. 298.)

7 3. Good cause exists to extend the briefing schedule for the motion to stay. In the case
8 *Seibel v. PHWLV, LLC*, Case No. A-17-751759-B (the "State Court Matter"), currently pending
9 before the Eighth Judicial District Court of the State of Nevada, County of Clark ("State Court"), the
10 State Court granted Paris and its affiliates' Motion to Compel Documents Withheld on the Basis of
11 the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception. The State Court ordered Paris
12 and its affiliates to prepare the Findings of Fact, Conclusions of Law and Order. Despite meet and
13 confer efforts, the Parties have been unable to agree on a joint order and are submitting competing
14 findings of fact, conclusions of law, and orders to the State Court.

15 4. Pursuant to an agreement between the Parties, discovery propounded in the State
16 Court Matter can be used in this matter and discovery propounded in this matter can be used in the
17 State Court Matter. Plaintiff/Counterdefendants have indicated they intend to seek review (through
18 a writ petition to the Nevada Supreme Court) of the State Court's ruling and a stay of enforcement
19 of the order, once entered in the State Court Matter, pending the outcome of their writ. Without
20 waiver of any arguments or rights by the Parties, the Parties have discussed whether this matter
21 should be stayed until either Plaintiff/Counterdefendants produce the documents ordered compelled
22 by the State Court or until resolution of their anticipated writ.

23 5. While the Parties have not reached an agreement as to any potential stay, they have
24 agreed to present the issue to this Court for resolution on a forthcoming motion to stay to be filed by
25 Paris.

26 6. Previously the Parties agreed that Paris would have up to and including June 4, 2021
27 to file a motion for stay. The Parties have agreed to extend the briefing schedule for the forthcoming
28

1 motion to stay one week to allow time for the State Court to enter its Findings of Fact, Conclusions
2 of Law and Order following the Parties' submission of competing orders.

3 7. Accordingly, the Parties have agreed as follows:

4 a. Paris shall file a motion to stay by or before June 11, 2021.
5 b. Plaintiff/Counterdefendants shall file their response to the forthcoming motion to
6 stay by or before June 25, 2021.
7 c. Paris shall file its reply by or before July 2, 2021.

8 8. This Stipulation and Order to extend the deadline to file the motion to stay is made
9 in good faith, with good cause, and not for purposes of unduly delaying trial.

10 DATED this 4th day of June 2021.

11 PISANELLI BICE PLLC

12 By: /s/ M. Magali Mercera

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18 *Attorneys for Paris Las Vegas Operating
19 Company, LLC*

20 DATED this 4th day of June 2021.

21 BAILEY KENNEDY

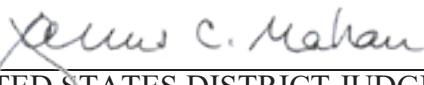
22 By: /s/ Paul C. Williams

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31 TPOV Enterprises, LLC and Rowen Seibel*

32 **ORDER**

33 IT IS SO ORDERED.

34 
35 UNITED STATES DISTRICT JUDGE

36 DATED: June 7, 2021