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6 Attorneys for Defendant
 7 Wal-Mart Stores, Inc.

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

11 KEVIN ZIMMERMAN, an individual,
 12 Plaintiff,
 13 vs.
 14 WAL-MART STORES, INC.,
 15 Defendant.

Case No. 2:17-cv-00435-GMN-GWF

~~[PROPOSED]~~ **STIPULATION AND
 ORDER TO EXTEND TIME FOR
 DEFENDANT TO FILE A RESPONSE TO
 THE COMPLAINT**

[FIFTH REQUEST]

17 Plaintiff KEVIN ZIMMERMAN (hereinafter "Plaintiff") and Defendant WAL-MART
 18 STORES, INC., (hereinafter, "Defendant") by and through their undersigned counsel, hereby agree
 19 and stipulate to extend the time for Defendant to file a response to the Plaintiff's Complaint from the
 20 current deadline of August 14, 2017 up to and including **September 11, 2017**.

21 The parties' counsel met on June 9, 2017 and reached a settlement, the general terms of
 22 which have since been confirmed in an email. At this time, a response to the complaint is
 23 unnecessary because this matter will be dismissed after the settlement is executed. Accordingly, the
 24 parties request that this stipulation be granted.

25 The settlement agreement has been exchanged and is taking longer than the parties
 26 anticipated to finalize. Nevertheless, the parties believe the settlement will be finalized in the next
 27 two weeks, but have requested this 28 day extension out of an abundance of caution to ensure
 28 sufficient time to resolve any potential wording issues with the settlement agreement.

1 This is the fifth request for an extension of time to respond to the Complaint. This request is
2 made in good faith and not for the purpose of delay.

3
4 Dated: August 14, 2017

Dated: August 14, 2017

5 Respectfully submitted,

Respectfully submitted,

6
7 /s/ Whitney C. Wilcher

WHITNEY C. WILCHER, ESQ.
THE WILCHER FIRM

8
9 Attorney for Plaintiff
KEVIN ZIMMERMAN

/s/ Matthew T. Cecil

ROGER L. GRANDGENETT II, ESQ.
MATTHEW T. CECIL, ESQ.
LITTLER MENDELSON, P.C.

10 Attorneys for Defendant
WAL-MART STORES, INC.

11 **ORDER**

12 **IT IS SO ORDERED.**

13 Dated: _____ August 15, 2017.

14
15
16 
17 _____
18 UNITED STATES MAGISTRATE JUDGE

19
20
21 Firmwide:149446287.1 080000.1232