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7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 CHOCOLATE MAGIC LAS VEGAS LLC,  
 10 a Delaware limited liability company,

11 Plaintiff,

12 vs.

13 BLAIR ELLIOT FORD, JR., an individual;  
 14 CINDY WIX-INGLING, an individual;  
 15 NORMAN VIDA, an individual; and ALICE  
 16 KELLY, an individual,  
 17 Inclusive,  
 18 Defendants.

Case No.: 2:17-cv-00690-APG-NJK

**DEFENDANT BLAIR FORD'S  
 MOTION TO EXTEND TIME TO FILE  
 RESPONSIVE PLEADING**

**FIRST REQUEST**

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 18 Defendant Blair Ford ("Defendant"), by and through his attorneys Christian  
 19 Gabroy, Esq. and Elizabeth Aronson, Esq., of Gabroy Law Offices, in accordance with  
 20 LR IA 6-1, moves this Court as follows:

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 1. Pursuant to LR IA 6-1, Defendant requests an extension of seven (7)  
 23 days, in addition to the fourteen (14) days allowed to file a responsive pleading to  
 24 Plaintiff's Amended Complaint or Complaint herein.

25 2. On or about January 17, 2018, Judge Gordon entered an Order [Dkt. 60]  
 26 stating "Chocolate Magic is granted leave to amend its complaint."

27 3. The Order further states that, "If it intends to do so, Chocolate Magic  
 28 shall file an amended complaint within 14 days of entry of this Order." No date is

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given as to when Defendant is to respond to the Complaint on file herein if no Amended Complaint is filed and Defendant brings this Motion on that basis.

4. Thus, Plaintiff's Amended Complaint is due on or about January 31, 2018.

5. To date and as of this filing, Plaintiff has not filed an Amended Complaint.

6. Defendant's Counsel has an upcoming trial and respectfully requests an extension of twenty-one (21) days from the day Plaintiff files its Amended Complaint or from today to file a responsive pleading.

7. If Plaintiff does not file an Amended Complaint, Defendant respectfully requests an extension of twenty-one (21) days from the day Plaintiff could have filed its Amended Complaint to file a responsive pleading.

8. Thus, Defendant respectfully requests that Defendant submit his responsive pleading to Plaintiff's Complaint or Amended Complaint on February 21, 2018.

9. This Motion is made in an abundance of caution as Plaintiff's counsel has agreed to such extension but there has yet to be filed an Amended Complaint. Upon such filing or determination by Plaintiff's Counsel that no Amended Complaint will be filed, Defendant will present a SAO for Plaintiff.

Respectfully, Defendant prays for such relief herein for an extension of up to and including February 21, 2018 to file his reponse to the Amended Compliant if so filed or the Complaint on file herein.

DATED this 30th day of January 2018.

IT IS SO ORDERED.  
Dated: January 31, 2018

  
\_\_\_\_\_  
United States Magistrate Judge

GABROY LAW OFFICES.  
By: /s/Christian Gabroy  
Christian Gabroy (#8805)