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6 Attorneys for Defendant
 7 Office Depot, Inc.

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

11 KEVIN ZIMMERMAN, an individual,
 12 Plaintiff,
 13 vs.
 14 OFFICE DEPOT, INC.,
 15 Defendant.

Case No. 2:17-cv-00815-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 OFFICE DEPOT,
 18 INC., (hereinafter, "Defendant") by and through their undersigned counsel, hereby agree and
 19 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 parties have exchanged and approved the settlement agreement and are waiting for it to
 26 be signed. Plaintiff inadvertently believed this settlement agreement had been signed and the matter
 27 resolved. The settlement should be finalized in the next two weeks, but have requested this 28 day
 28 extension out of an abundance of caution to ensure sufficient time to resolve any potential wording

1 issues with the settlement agreement.

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

4 Dated: August 14, 2017

Dated: August 14, 2017

5 Respectfully submitted,

Respectfully submitted,

6
7 /s/ Whitney C. Wilcher

/s/ Matthew T. Cecil

8 WHITNEY C. WILCHER, ESQ.
9 THE WILCHER FIRM

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

10 Attorney for Plaintiff
11 KEVIN ZIMMERMAN

Attorneys for Defendant
OFFICE DEPOT, INC.

12
13 **ORDER**

14 **IT IS SO ORDERED.**

15 Dated: August 15, 2017.

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17
18 
19 UNITED STATES MAGISTRATE JUDGE

20
21
22 Firmwide:149446881.1 063095.1151