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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 Kevin Zimmerman, and individual,
12 Plaintiff,

13 vs.

14 Einstein and Noah Corp. Dba Einstein Bros
Bagels,
15 Defendant.

Case No. 2:17-cv-00935-JCM-VCF

**CORRECTED STIPULATION AND
ORDER FOR EXTENSION TO RESPOND
TO COMPLAINT**

(SECOND REQUEST)¹

17 Plaintiff Kevin Zimmerman (“Plaintiff”) and Defendant Einstein and Noah Corp. d/b/a
18 Einstein Bros. Bagels (“Einstein”) by and through their undersigned counsel (collectively the
19 “Parties”), for good cause shown, hereby stipulate and agree to extend Einstein’s deadline to
20 respond to Plaintiff’s Complaint [Doc #1] to July 3, 2017. This is the Parties’ second extension
21 request.

22 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1, there exists good
23 cause to grant this extension to respond for the following reasons:

- 24 1. Plaintiff served the Complaint and Summons on Einstein on April 13, 2017.

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26 ¹ The stipulation filed on May 23, 2017 erroneously requested a due date of June 19, 2017. This
27 corrected stipulation correctly requests the Parties’ intended date of July 3, 2017. The Court
28 noted its intention to grant pending stipulations for extensions of time at the status hearing on
May 25, 2017. The Parties thus request that the date to respond to Plaintiff’s Complaint reflect
their agreement of July 3, 2017, and treat this stipulation as the second request.

1 2. The Parties originally stipulated to extend Einstein’s response deadline to June 2,
2 2017. The Parties subsequently agreed to extend the deadline to respond up to and including July
3 3, 2017.

4 3. Einstein needs the requested time to evaluate Plaintiff’s allegations as well as the
5 possibility of early resolution options. Specifically, Einstein’s evaluation of Plaintiff’s allegations
6 involves site inspections of the relevant property, and Einstein needs additional time to
7 investigate sufficiently. This would make each of this Defendant’s responses in the three filed
8 actions due on the same date.

9 4. The Parties agreed to the extension requested herein.

10 5. This stipulated extension request is sought in good faith and is not made for the
11 purpose of delay.

12 Therefore, the Parties jointly agree to extend Einstein’s deadline to respond to Plaintiff’s
13 Complaint to July 3, 2017.

14 DATED: JUNE 1, 2017

DATED: JUNE 1, 2017

15 THE WILCHER FIRM

SNELL & WILMER L.L.P.

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ORDER

IT IS ORDERED that Einstein shall respond to Plaintiff's Complaint by July 3, 2017.

DATED: June 5, 2017, 2017.



UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

SNELL & WILMER L.L.P.

By: /s/ Michael Paretti

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