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21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 **COMPARTMENT IT2, LP**, a Georgia limited
24 partnership, **COMPARTMENT IT5, LP**, a
25 Georgia limited partnership, **COMPARTMENT
IT9, LP**, a Georgia limited partnership, and
26 **MFAM MOBILFUNK ASSET
MANAGEMENT GMBH**, a German
27 corporation,

28 Case No.: 2:17-CV-1035-MMD-VCF

**STIPULATION AND ORDER RE:
DEADLINES FOR OPPOSITIONS
TO MOTIONS TO DISMISS AND
REPLIES IN SUPPORT OF
MOTIONS TO DISMISS**

[SECOND REQUEST]

21 Plaintiffs,
22 v.

23 **FIR TREE, INC. d/b/a FIR TREE PARTNERS**, a
24 New York Corporation, **PAUL MCGINN**, an
25 individual, **GABRIEL MARGENT**, an individual,
26 **GRANT BARBER**, an individual, **JARRET
COHEN**, an individual, and **SCOTT TROELLER**,
an individual,

27 Defendants.

1 Plaintiffs and all named Defendants herein, by and through their attorneys of record,
2 stipulate as follows:

3 **RECITALS**

4 1. The three motions to dismiss that are the subjects of this stipulation were filed on
5 August 4, 2017; namely, Defendants Fir Tree, Inc., Jarret Cohen, and Scott J. Troeller's Motion
6 to Dismiss (ECF No.12 and, as corrected, ECF No. 19); Defendants Gabriel Margent and Grant
7 Barber's Motion to Dismiss (ECF No. 16); and Defendant Paul McGinn's Motion to Dismiss
8 (ECF No. 9).

9 2. Each of the Motions to Dismiss is accompanied by a Memorandum of Points and
10 Authorities, which range in length from 18 to 23 pages, as well as accompanying declarations
11 and exhibits which, taken together, exceed 1,200 pages. See, as to the Fir Tree Defendants, ECF
12 Nos. 13, 14 & 15 and, as corrected, 20, 21 & 22; as to Defendant McGinn, ECF No. 10; and as to
13 Defendants Barber and Margent, the attachments to ECF No. 16. In addition, Defendants Barber
14 and Margent filed a Request for Judicial Notice in support of their Motion to Dismiss (ECF No.
15 17).

16 3. Given the extensive nature of the three Motions to Dismiss and the materials
17 submitted in support of them, Plaintiffs' counsel seeks an extension of time in order to respond
18 adequately to the Motions to Dismiss, and to provide Defendants' counsel with adequate time to
19 reply, to which the Defendants' respective counsel have assented.

20 4. On July 31, 2017, the parties submitted a "Stipulation and Order re: Deadlines for
21 Responses to Complaint and Related Matters" (the "First Stipulation," ECF No. 7). The First
22 Stipulation requested a deadline for Answers to the Complaint and Motions to Dismiss of August
23 4, 2017, a deadline for oppositions to motions to dismiss of September 18, 2017, and a deadline
24 for replies in support of motions to dismiss of October 13, 2017.

25 5. On August 3, 2017, the Court entered its Order setting a deadline of August 4,
26 2017 for answers or other responses to the Complaint (ECF No. 8).

27 6. On August 4, 2017, as discussed above, the three Motions to Dismiss, together
28 with their respective supporting materials, were filed.

7. The parties remain in agreement regarding their requested briefing schedule for all filed Motions to Dismiss and therefore renew the request set forth in the First Stipulation for deadlines of September 18, 2017, for the oppositions to each filed Motion to Dismiss and October 13, 2017, for replies in support of each filed Motion to Dismiss.

STIPULATION

IT IS HEREBY STIPULATED AS FOLLOWS:

1. The Plaintiffs shall file their Oppositions to each filed Motion to Dismiss on or before September 18, 2017.

2. Each Defendant shall file a Reply in support of its Motion to Dismiss on or before October 13, 2017.

DATED this 11th day of August 2017

DATED this 11th day of August 2017

/s/ Joe Laxague
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DATED this 11th day of August 2017

DATED this 11th day of August 2017

s/ J. Stephen Peek
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ATTORNEYS FOR DEFENDANTS
GABRIEL MARGENT AND GRANT BARBER

8 IT IS HEREBY ORDERED that the stipulation to extend time is granted as follows:

9 1. The Plaintiffs shall file their Oppositions to each filed Motion to Dismiss on or
before September 18, 2017.

10 2. Each Defendant shall file a Reply in support of its Motion to Dismiss on or before
October 13, 2017.

12 Dated: August 14, 2017



13 U.S. District Judge

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