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16 *Attorneys for Plaintiffs and Counter-Defendants*
 17 ATARI CASINO, LLC; and
 ATARI INTERACTIVE, INC

18 **UNITED STATES DISTRICT COURT**
 19 **DISTRICT OF NEVADA – LAS VEGAS**

20 ATARI CASINO, LLC, a Delaware
 21 limited liability company; and ATARI
 22 INTERACTIVE, INC., a Delaware
 corporation,

23 Plaintiffs,

24 v.

25 SKILLCO LLC, a Nevada limited
 26 liability company; and LAWRENCE
 VAUGHAN, an individual,

27 Defendants.

Case No.: 2:17-cv-01552-JAD-NJK

**STIPULATION TO CONTINUE
 BRIEFING SCHEDULE ON
 CURRENTLY PENDING MOTION
 FOR RECONSIDERATION OF
 ORDER GRANTING MOTION TO
 COMPEL**

1 SKILLCO, LLC, a Nevada limited
2 liability company,
3 Counterclaimant,
4 v.
5 ATARI CASINO, LLC, a Delaware
6 limited liability company; and ATARI
7 INTERACTIVE, INC., a Delaware
8 corporation,
9 Counter-Defendants.

FAC Filed: August 28, 2017
Trial Date: None Set

9 On December 19, 2017, this Court granted Plaintiffs' Atari Casino, LLC and Atari
10 Interactive, Inc. (collectively, "Atari") Motion to Compel documents from third-party Ryan
11 Works ("Mr. Works"). The Court's Order Granting Atari's Motion to Compel (the "Order")
12 dated December 19, 2017 [ECF No. 53] set December 29, 2017 as the Atari that are in Mr.
13 Works' possession.

14 On December 22, 2017, third-party Ryan Works ("Mr. Works") filed a Motion for
15 Reconsideration of Order Granting Motion to Compel [ECF No. 54] ("Motion for
16 Reconsideration").

17 On December 27, 2017, Mr. Works filed an Emergency Motion for Determination of
18 the Motion for Reconsideration or Alternatively Motion for Stay of the Order [ECF No. 55]
19 (the "Emergency Motion"). The Court's Order Granting the Motion for Emergency
20 Determination of Motion to Reconsider (the "Order") dated December 27, 2017 [ECF No.
21 56] vacated Mr. Works deadline to comply with the Court's December 19, 2017 Order, and
22 ordered that the Motion for Reconsideration be briefed according to the default timetable,
23 while also instructing Mr. Works to preserve all documents called for by the subpoena at
24 issue. On January 2, 2018, the Parties filed an amended stipulation to continue the briefing
25 schedule of Mr. Works' Motion for Reconsider the Order [ECF 59]. The Court granted the
26 Order, setting a briefing schedule in which, if, on or before January 19, 2018, this case is
27 dismissed pursuant to a settlement between Plaintiffs and Defendants, as memorialized by a
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1 Stipulation for Dismissal filed with the Court, on or after that date, all matters pending
2 between Mr. Works and Atari be vacated, and, should the matter not be vacated, that Atari
3 would have until January 19, 2018 to file an opposition to Mr. Works' Motion [ECF 60].

4 Atari has advised Mr. Works that this action appears close to settlement. In
5 consideration of the underlying parties' attempts at settlement, and to provide time to fully
6 brief the issues the Parties hereby stipulate as follows:

7 IT IS STIPULATED THAT, unless this action is resolved by Settlement prior to
8 January 27, 2018, which would be memorialized in a Stipulation for Dismissal, the briefing
9 schedule for the Motion for Reconsideration be as follows: (1) Atari's counsel will file a
10 response to the Motion for Reconsideration on or before February 2, 2018; (2) Mr. Works
11 will then file a reply in support of the Motion for Reconsideration, no later than February 7,
12 2018.

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1 FINALLY, IT IS STIPULATED THAT, if, on or before February 2, 2018, this case
2 is dismissed pursuant to a settlement between Plaintiffs and Defendants, as memorialized by
3 a Stipulation for Dismissal filed with the Court, on or after that date, all matters pending
4 between Mr. Works and Atari be vacated.

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6 **IT IS SO STIPULATED.**

7 RESPECTFULLY SUBMITTED this Eighteenth day of January 2018.

8 GERARD FOX LAW P.C.	MCDONALD CARANO LLP
9	
10 By: <u>/s/ Michael D. Murphy</u>	By: <u>/s/ Jeffrey A. Silversti</u>
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16 IT IS SO ORDERED.
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19 _____
20 UNITED STATES MAGISTRATE JUDGE
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22 DATED: January 18, 2018
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