

1 Matthew I. Knepper, Esq.  
 Nevada Bar No. 12796  
 2 Miles N. Clark, Esq.  
 Nevada Bar No. 13848  
 3 KNEPPER & CLARK LLC  
 4 5510 So. Fort Apache Rd, Suite 30  
 Las Vegas, NV 89148  
 5 Phone: (702) 856-7430  
 6 Fax: (702) 447-8048  
 Email: matthew.knepper@knepperclark.com  
 7 Email: miles.clark@knepperclark.com

8 David H. Krieger, Esq.  
 Nevada Bar No. 9086  
 9 HAINES & KRIEGER, LLC  
 10 8985 S. Eastern Ave., Suite 350  
 Henderson, NV 89123  
 11 Phone: (702) 880-5554  
 12 Fax: (702) 385-5518  
 Email: dkrieger@hainesandkrieger.com

13 *Attorneys for Plaintiff*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 ANDREA THOMAS,

Case No.: 2:17-cv-02001-MMD-CWH

17 Plaintiff,

**STIPULATION AND ORDER TO  
EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO MOTION TO DISMISS**

18 vs.

19 SMITH-PALLUCK ASSOCIATES CORP.,  
20 d/b/a LAS VEGAS ATHLETIC CLUBS,

**[FIRST REQUEST]**

21 Defendants.

22 Plaintiff Andrea Thomas (“Plaintiff”), by and through her counsel of record, and Defendant  
 23 Smith-Palluck Associates Corp., d/b/a Las Vegas Athletic Clubs (“LVAC”) have agreed and  
 24 stipulated to the following:  
 25

26 1. On July 24, 2017, Plaintiffs filed a Complaint [ECF Dkt. 1].

27 STIPULATION AND ORDER TO EXTEND TIME FOR PLAINTIFF TO RESPOND TO MOTION TO DISMISS  
 28 [FIRST REQUEST] - 1

- 1           2.       On September 14, 2017, LVAC filed an Answer to the Complaint [ECF Dkt.5].
- 2           3.       On February 7, 2018, Plaintiff filed a Motion to Amend the Complaint [ECF Dkt.
- 3           17] and briefing was completed on February 28, 2018 [ECF Dkt. 23].
- 4           4.       On July 17, 2018 LVAC filed a Motion to Stay Case [ECF Dkt. 38].
- 5           5.       On September 6, 2018, the Court granted LVAC's Motion to Stay Case and denied
- 6           Plaintiff's Motion to Amend Complaint [ECF Dkt. 42].
- 7           6.       On April 2, 2019, Plaintiff filed a Motion for Leave to file First Amended
- 8           Complaint [ECF Dkt. 51].
- 9           7.       On April 12, 2019, the Court denied Plaintiff's Motion to file First Amended
- 10          Complaint as moot [ECF Dkt. 54].
- 11          8.       On April 13, 2019, Plaintiff filed a Notice Re-Urging her Motion for Leave to File
- 12          First Amended Complaint [ECF Dkt. 55].
- 13          9.       On May 14, 2019, the Court granted Plaintiff's Notice Re-Urging her Motion for
- 14          Leave to File First Amended Complaint [ECF Dkt. 61].
- 15          10.      On May 15, 2019, Plaintiff filed a First Amended Complaint [ECF Dkt. 62].
- 16          11.      On May 29, 2019, LVAC filed a Motion to Dismiss Plaintiff's First Amended
- 17          Complaint [ECF Dkt. 64].
- 18          12.      Plaintiff's Response is due June 12, 2019.
- 19          13.      Plaintiff and LVAC have agreed to extend Plaintiff's response seven days in order
- 20          to allow Plaintiff's counsel additional time to respond due to a conflict stemming from an out of
- 21          state court hearing in Alaska at the Ninth Circuit Court of Appeals. As a result, both Plaintiff and
- 22          LVAC hereby request this Court to further extend the date for Plaintiff to respond to LVAC's
- 23
- 24
- 25
- 26
- 27


1 Motion to Dismiss Amended Complaint until **June 19, 2019**. This stipulation is made in good  
2 faith, is not interposed for delay, and is not filed for an improper purpose.

3 IT IS SO STIPULATED.  
4 Dated June 11, 2019.

<b>KNEPPER &amp; CLARK LLC</b>	<b>BALLARD SPAHR LLP</b>
<u>/s/ Miles N. Clark</u> Matthew I. Knepper, Esq. Nevada Bar No. 12796 Miles N. Clark, Esq. Nevada Bar No. 13848 5510 So. Fort Apache Rd, Suite 30 Las Vegas, NV 89148 Email: matthew.knepper@knepperclark.com Email: miles.clark@knepperclark.com	<u>/s/ Stacy H. Rubin</u> Joel E. Tasca, Esq. Nevada Bar No. 14124 Lindsay C. Demaree, Esq. Nevada Bar No. 11949 Stacy H. Rubin, Esq. Nevada Bar No. 9298 1980 Festival Plaza Drive, Suite 900 Las Vegas, NV 89135 Email: tasca@ballardspahr.com Email: demareel@ballardspahr.com Email: rubins@ballardspahr.com
<b>HAINES &amp; KRIEGER LLC</b> David H. Krieger, Esq. Nevada Bar No. 9086 8985 S. Eastern Avenue, Suite 350 Henderson, NV 89123 Email: dkrieger@hainesandkrieger.com  <i>Counsel for Plaintiff</i>	<i>Counsel for Defendant Smith-Palluck Associates Corp., d/b/a Las Vegas Athletic Clubs</i>

17  
18 **ORDER GRANTING**  
19 **STIPULATION TO EXTEND TIME FOR PLAINTIFF TO RESPOND TO**  
20 **MOTION TO DISMISS**

21 **IT IS SO ORDERED.**

22   
23 \_\_\_\_\_  
24 UNITED STATES DISTRICT JUDGE

25 Dated: June 11, 2019