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 8 *Laser Center, Douglas Fife, M.D., and Heather Fife*

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

12 THOMAS MOONEY,
 13 Plaintiff,

14 v.

15 FIFE DERMATOLOGY, PC, d/b/a
 16 SURGICAL DERMATOLOGY & LASER
 CENTER, DOUGLAS FIFE, M.D., and
 17 HEATHER FIFE,
 18 Defendants.

Case No. 2:17-cv-02191-JCM-EJY

**STIPULATION TO EXTEND DEADLINE
 TO RESPOND TO PLAINTIFF'S SECOND
 AMENDED COMPLAINT [ECF NO. 63]**

(FIRST REQUEST)

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 20 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendants Vivida Dermatology f/k/a
 21 Fife Dermatology, PC d/b/a Surgical Dermatology & Laser Center (“Vivida”), Douglas Fife,
 22 M.D. (“Dr. Fife”), and Heather Fife (collectively, “Defendants”), by and through their counsel,
 23 Snell & Wilmer L.L.P., and Plaintiff Thomas Mooney (“Plaintiff”), by and through his counsel,
 24 James P. Kemp, Esq., submit this Stipulation and Proposed Order, based on the following:

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1 1. On December 22, 2021, the Court granted in part and denied in part Plaintiff’s
2 Motion for Leave to File Second Amended Complaint [ECF No. 53], and the Court then
3 instructed the Clerk of the Court to detach and separately file Plaintiff’s Second Amended
4 Complaint. *See* Order, ECF No. 62.

5 2. That same day, December 22, 2021, the Clerk of the Court filed Plaintiff’s Second
6 Amended Complaint against Defendants. *See* ECF No. 63.

7 3. The Court further ordered that Plaintiff had 90 days (or until March 22, 2022) to
8 serve his Second Amended Complaint [ECF No. 63] on all remaining parties in this matter. *See*
9 ECF No. 62.

10 4. On December 29, 2021, counsel for Vivida entered a notice of appearance with
11 respect to Dr. Fife and Heather Fife. *See* ECF No. 65. Defendants then filed a Notice of
12 Acceptance of Service with respect to Plaintiff’s Second Amended Complaint. *See* ECF No. 66
13 (also filed December 29, 2021).

14 5. Calculating from the Clerk’s December 22, 2021 filing of Plaintiff’s Second
15 Amended Complaint, Vivida’s response is due Wednesday, January 5, 2021. *See* FRCP 15(a)(3).
16 However, with respect to Defendants Dr. Fife and Heather Fife, when calculating from the date
17 of the Notice of Acceptance of Service, Dr. Fife’s and Heather Fife’s responses are due
18 Wednesday, January 12, 2022.

19 6. Defendants have requested that the deadline for all Defendants (*i.e.*, Vivida, Dr.
20 Fife, and Heather Fife) to file an answer to Plaintiff’s Second Amended Complaint be
21 Wednesday, January 12, 2022.

22 7. This request for an extension with respect to Vivida is not intended to cause any
23 delay or prejudice to any party. The reason for this request is to provide all Defendants sufficient
24 time to jointly evaluate and jointly respond to the allegations set forth in the Second Amended
25 Complaint, and to account for varying schedules due to pre-arranged plans for the holidays,
26 which directly followed the filing of Plaintiff’s Second Amended Complaint.

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1 IT IS HEREBY STIPULATED AND AGREED by and between the Parties that the
2 deadline for all Defendants (*i.e.*, Vivida, Dr. Fife, and Heather Fife) to file an answer to
3 Plaintiff's Second Amended Complaint shall be Wednesday, January 12, 2022.

4 **IT IS SO STIPULATED.**

5 Dated: January 5, 2022

Dated: January 5, 2022

6 KEMP & KEMP

SNELL & WILMER L.L.P.

7 /s/ James P. Kemp
8 James P. Kemp, Esq.
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f/k/a Fife Dermatology, PC d/b/a Surgical
Dermatology & Laser Center, Douglas Fife,
M.D., and Heather Fife*

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: January 5, 2022

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