

1 James D. Crosby (State Bar No. 110383)
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5 Plaintiff and Judgment Creditor *In Pro Per*
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8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 JAMES D. CROSBY	}	Case No. 2:17-CV-02474-JCM-PAL
11 Plaintiff,	}	EX-PARTE MOTION FOR ORDER MOVING OR CONTINUING STATUS AND SCHEDULING CONFERENCE; DECLARATION OF JAMES D. CROSBY.
12 v.	}	
13 PHILIP NEUMAN	}	
14 Defendant	}	
15 _____	}	

16 Plaintiff and judgment creditor James D. Crosby respectfully moves for an order moving
 17 or continuing the Status and Scheduling Conference scheduled in the above referenced matter
 18 at 9:00 a.m. on December 19, 2017 to 9:00 a.m., or at any other court time, on any of the
 19 following dates:

- 20 - December 13, 14, 15, 26, 27, 28, or 29;
- 21 - January 2, 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 24, 25, 29, 30 or 31.

22 Plaintiff/Judgment creditor James D. Crosby has an irreconcilable calendar conflict on
 23 December 19, 2017 involving multi-day depositions in consolidated cases pending in San
 24 Diego Superior Court (*PAVA Applications International Corporation, et.al., v. Ayman Atef*
 25 *Shahid, et. al.*, and consolidated cases; San Diego Superior Case No. 37-2016-00038849 (Lead)
 26 and Consolidated Case Nos. 37-2017-00014453 and 37-2017-0000998). Plaintiff/Judgment
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1 creditor James D. Crosby is representing parties and witnesses in one multi-day deposition
2 from December 18 to December 21, and two half day depositions on December 22. All these
3 depositions are in San Diego and commence each day at 9:30 a.m. These depositions, involving
4 multiple parties and their attorneys in a contentious employment matter, have been scheduled
5 for some time and cannot be moved without significant disputes, likely motions and court
6 intervention. Plaintiff/Judgment creditor James D. Crosby personally represents multiple, and
7 all, parties on one side of the consolidated cases and must attend these depositions.

8 Accordingly, plaintiff/ judgment creditor James D. Crosby respectfully requests that the
9 Status and Scheduling Conference in the above referenced matter currently set at 9:00 a.m. on
10 December 19, 2017 be moved to any of the dates referenced above.

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12 Date: December 2, 2017

/s/ James D. Crosby
Plaintiff and Judgment Creditor *In Pro Per*

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15 Declaration of James D. Crosby

16 1. I am an attorney licensed to practice before all state and federal courts of, and in,
17 the state of California. I am the plaintiff and judgment creditor in the above entitled action. I
18 have personal knowledge of the facts stated in this declaration and, if called upon, would testify
19 competently to such facts.

20 2. The Status and Scheduling Conference in the above referenced matter is presently
21 scheduled for 9:00 a.m. on December 19, 2017. I respectfully request this Status and
22 Scheduling Conference be moved or continued to 9:00 a.m., or at any other court time, on any
23 of the following dates:

- 24 - December 13, 14, 15, 26, 27, 28, or 29;
25 - January 2, 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 24, 25, 29, 30 or 31.

1 3. I have an irreconcilable calendar conflict on December 19, 2017 involving multi-
2 day depositions in consolidated cases pending in the San Diego Superior Court (*PAVA*
3 *Applications International Corporation, et.al., v. Ayman Atef Shahid, et, al.*, and consolidated
4 cases; San Diego Superior Case No. 37-2016-00038849 (Lead) and Consolidated Case Nos.
5 37-2017-00014453 and 37-2017-0000998). I represent parties and witnesses in one multi-day
6 deposition from December 18 to December 21 and two half day depositions on December 22.
7 All these depositions are in San Diego and commence each day at 9:30 a.m. These depositions,
8 involving multiple parties and their attorneys in a contentious employment matter, have been
9 scheduled for some time. These depositions cannot be moved without significant disputes,
10 likely motions, and court intervention. I personally represent multiple, and all, parties on one
11 side of the consolidated cases and I must attend these depositions.


12 4. Accordingly, I respectfully request that the Status and Scheduling Conference
13 in the above referenced matter currently set at 9:00 a.m. on December 19, 2017 be moved to
14 any of the dates referenced above.

15 I declare under penalty of perjury that the foregoing is true and correct. Executed on
16 December 2, 2017 at San Diego California.

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18 /s/ James D. Crosby

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21 **IT IS ORDERED** that the Status and Scheduling Conference currently set for
22 December 19, 2017, is **VACATED** and **CONTINUED** to 2:30 p.m. January 16, 2018 in
23 Courtroom 3B.

24 Dated: December 4, 2017

25 
26 Peggy A. Leen
27 United States Magistrate Judge

1 PROOF OF SERVICE

2 I am over the age of 18 years. I am employed in the County of San Diego, State of
3 California. I am not a party to the above-referenced action. My business address is James D.
4 Crosby, Attorney at Law, 550 West C Street, Suite 790, San Diego, California 92101.

5 On December 2, 2017, I served the following documents:

6 EX-PARTE MOTION FOR ORDER MOVING OR CONTINUING STATUS AND
7 SCHEDULING CONFERENCE; DECLARATION OF JAMES D. CROSBY.

8 on the following parties in this action as follows:

9 Boris Avramski, Esq (Nevada Bar No. 11350)
10 Avramski Law, PC
11 602 South 10th Street
12 Las Vegas, NV 89101
13 Phone: (702) 522-1808
14 bkhelpevegas@yahoo.com

15 Attorneys for Defendant Phil Neuman

16 Via Email:

17 XX by sending a copy thereof via email transmission to each of the persons or entities at
18 each of the email addresses designated above. I thereafter received receipt of delivery of such
19 email transmission and I did not receive, within a reasonable time after the email transmission,
20 any electronic message or other indication that the email transmission was unsuccessful.

21 Via Overnight Mail:

22 _____ by placing a copy thereof in an envelope addressed to each of the persons or entities at
23 each of the addresses designated above and placing the envelope for collection and overnight
24 mailing via Federal Express following our ordinary business practices. I am readily familiar
25 with this business's practices for collecting and processing correspondence for overnight
26 mailing via Federal Express . On the same day that correspondence is placed for collection and
27 overnight mailing via Federal Express, it is deposited in the ordinary course of business with
28 Federal Express in a sealed envelope with postage and all charges fully prepaid.

1 Via U.S. Mail:
2 XX by placing a copy thereof in an envelope addressed to each of the persons or entities at
3 each of the addresses designated above and placing the envelope for collection and mailing
4 following our ordinary business practices. I am readily familiar with this business's practices
5 for collecting and processing correspondence for mailing. On the same day that correspondence
6 is placed for collection and mailing, it is deposited in the ordinary course of business with the
7 United States Postal Service in a sealed envelope with postage fully prepaid.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed at San Diego, California on December 2, 2017.

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/s/ James D. Crosby