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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 **SNAP LOCK INDUSTRIES, INC.,**

14 Plaintiff,

15 vs.

16 **SWISSTRAX CORPORATION,**

17 Defendant.

Case No. 2:17-cv-02742-RFB-BNW

**PROPOSED STIPULATION TO
CONTINUE AUGUST 31, 2020 HEARING**

(FIRST REQUEST)

18
19 Plaintiff Snap Lock Industries, Inc. (“Snap Lock”), Defendant Swisstrax Corporation
20 (“Swisstrax”), and Respondents Recreational Group, LLC and Swisstrax, LLC (collectively,
21 “Respondents”), through their undersigned counsel, hereby stipulate and agree to extend the August
22 31, 2020 hearing, as set forth more fully below.

23 1. On July 10, 2020, Snap Lock filed a Motion to Join Respondents to this action under
24 Fed. R. Civ. P. 25(c) (the “Rule 25(c) Motion”). *See* ECF No. 156.

25 2. On July 13, 2020, the Court scheduled a hearing on the Rule 25(c) Motion for August
26 18, 2020. *See* ECF No. 158.

27 3. On July 24, 2020, Swisstrax and Respondents filed oppositions to the Rule 25(c)
28

1 Motion. *See* ECF Nos. 160, 161.

2 4. On July 31, 2020, Snap Lock filed a Reply in Support of its Rule 25(c) Motion. *See* ECF
3 No. 191.

4 5. On August 4, 2020, Snap Lock filed an Emergency Motion to Compel Documents
5 Related to the Acquisition of Defendant Swisstrax Corporation. *See* ECF No. 198.

6 6. That same day, the Court entered an Order (1) vacating the August 18, 2020, hearing
7 on the Rule 25(c) Motion, and deferring that hearing until resolution of Snap Lock's Emergency
8 Motion to Compel, and (2) setting a hearing on the Emergency Motion to Compel for August 18, 2020.
9 *See* ECF No. 200.

10 7. During the August 18, 2020, hearing, the Court denied Snap Lock's Emergency Motion
11 to Compel and scheduled a hearing for the Rule 25(c) Motion for August 31, 2020.

12 8. Snap Lock is represented primarily by Brett L. Foster and Tamara L. Kapaloski. Ms.
13 Kapaloski intends to argue the Rule 25(c) Motion, as she is more familiar with the motion and
14 underlying case law.

15 9. The August 31, 2020, hearing date coincides with the deadline for Snap Lock to respond
16 to six motions filed by Swisstrax -- four dispositive motions and two motions to exclude Snap Lock's
17 expert witnesses. (*See* ECF Nos. 164, 170, 174, 177, 178, and 182.) Ms. Kapaloski is the attorney
18 primarily responsible for drafting and preparing Snap Lock's oppositions to Swisstrax's six motions
19 and for filing them on August 31, 2020.

20 10. In addition, due to a previously scheduled engagement that Ms. Kapaloski cannot
21 reschedule, she will be traveling the weekend prior to the August 31, 2020, hearing date and filing
22 deadline.

23 11. Ms. Kapaloski needs time to prepare for the hearing on the Rule 25(c) Motion, but is
24 already at capacity responding to the six motions that are due on August 31, especially in light of her
25 previously scheduled engagement.

26 12. Due to this, Ms. Kapaloski asked counsel for Respondents and for Swisstrax if they
27 would agree to continue the hearing for a week or two, and they extended that professional courtesy.

28 13. For these reasons, counsel respectfully requests that the hearing be rescheduled for the

1 week of September 7 or September 14. Counsel for the parties is available any day during those two
2 weeks with the exception of September 9, 10, or 15. September 7 is the Labor Day holiday.

3 14. The Parties do not currently have a trial date. Good cause exists for this request. The
4 Parties are not seeking the continuance for purposes of undue delay.

5 Dated this 18th day of August, 2020.

7 DORSEY & WHITNEY LLP

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IT IS ORDERED that the parties' stipulation is
GRANTED. The August 31, 2020 hearing is
VACATED and RESCHEDULED to September 8,
2020, at 9:00 AM by videoconference.

21 **IT IS SO ORDERED:**

22 

23 Hon. Brenda Weksler
24 United States Magistrate Judge

25 DATED: August 20, 2020