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11 *Attorneys for Plaintiff Snap Lock Industries, Inc.*

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

14 SNAP LOCK INDUSTRIES, INC. a Utah
 15 corporation,

16
 17 Plaintiff/Counter-Defendant,

18 vs.

19 SWISSTRAX CORPORATION., a California
 20 corporation,

21 Defendant/Counter-Claimant

Case No: 2:17-cv-02742-RFB-PAL

**JOINT REQUEST FOR LEAVE TO FILE
 SUPPLEMENTAL STATUS REPORT
 AND TO EXTEND
 DISCOVERY/DISPUTE RESOLUTION
 HEARING**

(First Request)

22 Defendant Swisstrax Corporation (“Swisstrax”) and Plaintiff Snap Lock Industries, Inc.
 23 (“Snap Lock”) (collectively, “Parties”), through their undersigned counsel, hereby respectfully
 24 submit this Joint Request For Leave to File Supplemental Status Report and to Extend
 25 Discovery/Dispute Resolution Hearing, and state as follows:

26 1. On August 28, 2018, the Parties appeared at a status conference hearing regarding
 27 outstanding discovery and the parties’ request to modify the existing scheduling order. During the
 28 status conference, the Parties made the court aware that they had a meet and confer scheduled for

1 August 30, 2018, regarding disputes related to Swisstrax's responses to Snap Lock's first set of
2 discovery requests.

3 2. At the conclusion of the status conference, the Court ordered the Parties to file a
4 joint status report after the meet and confer outlining any discovery disputes the parties may have
5 with specificity and providing sufficient information within the status report to allow the Judge to
6 make rulings from the bench at a status conference hearing. The Court ordered the Parties to file
7 the Joint Status Report by Tuesday, September 11, 2018 and scheduled a Discovery/Dispute
8 Resolution Hearing to address the issues raised in the Joint Status Report (if necessary) for
9 Thursday, September 13. (ECF No. 70).

10 3. On August 30, 2018, the Parties met and conferred regarding Swisstrax's responses
11 to Snap Lock's discovery requests. Although the parties were able to work together to resolve a
12 number of the outstanding issues, the Parties were unable to reach a mutually agreeable resolution
13 with respect to several issues, which will necessitate the need for the Discovery/Dispute Resolution
14 Hearing to resolve the disputes.

15 4. Although some of the outstanding discovery issues are presently known by the
16 Parties, the precise scope and nature of all discovery disputes that the parties will need to bring to
17 the Court's attention at the Discovery/Dispute Resolution Hearing will not be known by September
18 13 when the Hearing is currently scheduled.

19 5. At the August 30 meet and confer, Swisstrax represented that it would be producing
20 a large volume of documents to Snap Lock on September 7, 2018, which will require Snap Lock's
21 counsel additional time to review.

22 6. In addition, Snap Lock's responses to Swisstrax's first set of discovery requests
23 was due on, and was served on, Friday, September 7, 2018. Although Snap Lock is working
24 diligently to gather all responsive documents, Snap Lock will not be in a position to produce
25 responsive documents until on or by September 18, 2018. Swisstrax will then need time to review
26 and digest Snap Lock's discovery responses and document production, and then to meet and confer
27 with Snap Lock regarding any discovery disputes, before it will be able to determine the scope and
28 nature of any discovery disputes raised by Snap Lock's discovery responses and document

1 production. The current schedule does not allow sufficient time for Swisstrax to review Snap
2 Locks' responses and document production sufficiently prior to the September 13 deadline for the
3 hearing.

4 7. Thus, despite the parties' efforts, the scope and nature of all discovery disputes will
5 not be known by the current date set for the Hearing, and the Parties believe it would be most
6 efficient and would preserve the Parties' and the Court's resources to address all discovery disputes
7 at once in a single omnibus Supplemental Joint Status Report and Discovery/Dispute Resolution
8 Hearing rather than to approach the discovery disputes in a piecemeal fashion.

9 8. Therefore, the Parties respectfully request a continuance of the Discovery/Dispute
10 Resolution Hearing by at least two weeks from the current September 13 date, to a date convenient
11 to the Court's calendar. The Parties also respectfully request leave to file a Supplemental Joint
12 Status Report two days prior to the Hearing that will be an omnibus status report addressing all
13 discovery disputes.

14 9. The Parties have been working diligently and cooperatively on discovery and have
15 been able to resolve a large number of the disputes between them. However, the Parties will need
16 additional time to complete discovery and the proposed deadlines in the current motion to amend
17 the scheduling order are not practical. The Parties believe, however, that because all discovery
18 disputes between the parties will be before the Court in the Supplemental Joint Status Report and
19 at the Discovery/Dispute Resolution Hearing, the Parties will be in a position to propose new
20 deadlines that will be workable and can eliminate any further need to modify the Scheduling Order.

21 10. Good cause exists and the Parties are not seeking the extension for undue delay.
22 Instead, this request is an effort by the Parties to promote judicial economy and address all
23 discovery disputes at once in a single filing rather than through multiple filings spread across
24 several weeks. Moreover, a single filing and hearing addressing all discovery dispute will allow
25 the parties to move forward with depositions and expert reports in a more expeditious fashion.

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27 //

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1 Dated this 10th day of September 2018

2 DICKINSON WRIGHT PLLC

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/s/ Tamara L. Kapaloski

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12 **ORDER**

13 Good Cause appearing, the Discovery/Dispute Resolution Hearing currently scheduled for
14 September 13 is vacated and reset. The Supplemental Joint Status Report will be due on
15 September 27, 2018, and the Discovery/Dispute Resolution Hearing will be held on October 2,
16 2018, 11:00 a.m. in Courtroom 3B.

17 **IT IS SO ORDERED:**



18 Hon. Peggy A. Leen

19 United States Magistrate Judge

20 DATED: September 11, 2018

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2018, the foregoing **JOINT REQUEST FOR LEAVE TO FILE SUPPLEMENTAL STATUS REPORT AND TO EXTEND DISCOVERY/DISPUTE RESOLUTION HEARING** was served via e-mail upon the following:

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