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 10 **Attorneys for Defendant Consumer Telcom, Inc.**

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

14 Case No.: **2:17-cv-2917-JAD-NJK**

15 United States of America,
 16 Plaintiff,
 17 v.
 18 U.S. Telecom Long Distance, Inc.,
 19 Defendant.

**JOINT MOTION TO EXTEND
 PROCEDURAL DEADLINES**

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 22 Defendant, U.S. Telecom Long Distance, Inc. ("UST" or "USTLD"), and Plaintiff,
 23 United States of America ("United States"), by their respective attorneys, pursuant to Fed. R.
 24 Civ. P. 6(b) and 16(b)(4), for their Joint Motion to Extend Procedural Deadlines, respectfully
 25 state as follows:

- 26 1. On November 21, 2017, the United States filed its Complaint against UST in the
 27 above-captioned case.
 28 2. On January 19, 2018, UST filed a Motion to Dismiss the United States'

1 Complaint. On January 31, 2018, the United States filed its Response to UST's Motion, and UST
2 filed its reply on February 7, 2018.

3 3. On March 6, 2018, the Court entered its Order on the parties proposed Stipulated
4 Discovery Plan and Scheduling Order, setting forth various discovery deadlines.

5 4. The Court granted UST's Motion to Dismiss the original complaint (ECF No. 24),
6 and the United States has filed its First Amended Complaint (ECF No. 25).

7 5. The parties have commenced discovery and have initiated settlement discussions
8 in earnest. UST has served the United States with a Combined First Set of Interrogatories,
9 Requests for Admissions, and Requests for Production of Documents, and a Combined Second
10 Set of Interrogatories, Requests for Admissions, and Requests for Production of Documents. The
11 United States' responses to these discovery requests are currently due on October 15, 2018 and
12 October 26, 2018, respectively.

13 6. The parties' settlement discussions thus far have been productive. The parties
14 desire to continue in their efforts to settle this matter and to devote substantial time toward
15 attaining this goal. The parties seek to extend all procedural/discovery deadlines in this case so
16 that they can focus exclusively on settling this matter.

17 7. Thus, the parties request the Court to extend the procedural deadlines in this case
18 by 30 days. These procedural/discovery deadlines include, but are not limited to, the following:

- 19 • CTI's Answer to the United States' First Amended Complaint shall now be due
20 **November 16, 2018;**
- 21 • last day to complete fact discovery, previously set for January 16, 2019, shall now
22 **be February 15, 2019;**
- 23 • last day to designate Plaintiff's experts – has already passed and shall not be
24 extended;
- 25 • last day to designate Defendant's experts, previously set for October 17, 2018,
26 shall now be **November 16, 2018;**
- 27 • last day to disclose rebuttal experts, previously set for November 16, 2018, shall
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1 now be **December 17, 2018**;

2 • last day to complete expert discovery, previously set for December 17, 2018, shall
3 now be **January 16, 2019**;

4 • last day to file dispositive motions, previously set for February 18, 2019, shall
5 now be **March 20, 2019**;

6 • last day to file joint pretrial order, previously set for February 18, 2019, if no
7 dispositive motions are filed, and 30 days after order resolving last dispositive
8 motion, shall now be **March 20, 2019**, if no dispositive motions are filed, and 30
9 days after order resolving last dispositive motion.

10 8. The parties specifically agree that the United States, by not responding to UST's
11 First and Second Requests for Admissions currently due on October 15, 2018 and October 26,
12 2018, respectively, shall not be deemed to have admitted these Requests for Admissions. Instead,
13 the parties agree that the United States shall respond to UST's combined First Set of
14 Interrogatories, Requests for Admissions, and Request for Production of Documents, and UST's
15 combined Second Set of Interrogatories, Requests for Admissions, and Request for Production of
16 Documents, by **November 14, 2018** and **November 26, 2018**, respectively, should the Court
17 grant this Joint Motion, or within 14 days of the Court's denial of this Joint Motion.

18 9. The parties have shown good cause for extending all procedural/discovery
19 deadlines in this case by 30 days.

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1 WHEREFORE, UST and the United States respectfully request that the Court extend all
2 procedural/discovery deadlines in this case by 30 days, and grant whenever additional relief it
3 deems necessary and just.

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5 Dated this 9th day of October 2018

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7 For the Plaintiff:

For the Defendant:


8 DAYLE ELIESON
9 United States Attorney

10 /s/ Roger Wenthe

11 ROGER W. WENTHE
12 Assistant United States Attorney

/s/ Michael D. Murphy
Law Office of Michael L. Glaser, LLC

13
14 IT IS SO ORDERED:

15 
16 United States ~~District~~ Magistrate Judge

October 10, 2018

Date