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10 *Attorneys for Court-Appointed Monitor*

11 UNITED STATES DISTRICT COURT
 12 DISTRICT OF NEVADA

13 THOMAS W. MCNAMARA, as the Court-
 Appointed Monitor,

14 Plaintiff,

15 v.

16 GARY PATTEN, an individual; PANO
 ADVISORS, INC., a Nevada corporation;
 17 DOES I-X; and ROE CORPORATIONS I-X,

18 Defendants.

Case No. 2:17-cv-02968-JCM-NJK

**STIPULATION AND ORDER TO
 EXTEND TIME TO RESPOND TO
 DEFENDANTS' MOTION TO DISMISS
 PLAINTIFF'S COMPLAINT**

(First Request)

Judge: Hon. James C. Mahan

19
 20 Plaintiff, Court-appointed Monitor, Thomas W. McNamara ("Plaintiff")¹, by and through
 21 his counsel, Michael F. Lynch of the Lynch Law Practice, PLLC and Edward Chang and Logan
 22 Smith of McNamara Smith LLP and Defendants Gary Patten and Pano Advisors, Inc.
 23 ("Defendants"), by and through their counsel, Jacobs L. Fannesbeck of Smith Correll, LLP and

24
 25 ¹ Thomas W. McNamara is acting in his capacity as the Court-appointed Monitor for
 26 AMG Capital Management, LLC; BA Services LLC; Black Creek Capital Corporation;
 Broadmoor Capital Partners, LLC; Park 269, LLC; C5 Capital LLC; DF Services Corp.; DFTW
 27 Consolidated [UC] LLC; Impact BP LLC; Level 5 Apparel LLC; Level 5 Capital Partners LLC;
 Level 5 Eyewear LLC; Level 5 Motorsports, LLC; Level 5 Scientific LLC; NM Service Corp.
 (f/k/a/ National Money Service); PSB Services LLC; Real Estate Capital LLC (f/k/a/ Rehab
 28 Capital I, LLC); Sentient Technologies; ST Capital LLC; Westfund LLC; Eclipse Renewables
 Holdings LLC; Scott Tucker Declaration of Trust, dated February 20, 2015; West Race Cars,
 LLC; and Level 5 Management LLC; and their successors, assigns, affiliates, and subsidiaries.

1 Sharon L. McCarthy, Christopher M. Ferguson, and Cassandra Vogel of Kostelanetz & Fink,
2 LLP, hereby stipulate to the following:

3 WHEREAS, Defendants Gary Patten and Pano Advisors, Inc.'s Motion to Dismiss
4 Plaintiff's Complaint ("Motion to Dismiss") was filed on February 9, 2018 (ECF No. 22);

5 WHEREAS, Plaintiff's deadline to file his response to the Motion to Dismiss is currently
6 February 23, 2018;

7 WHEREAS, the parties stipulate, subject to Court approval, that Plaintiff's deadline to
8 file his response to the Motion to Dismiss shall be extended by three weeks, to March 16, 2018;

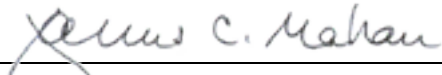
9 WHEREAS, the parties also stipulate, subject to Court approval, that Defendants'
10 deadline to file their reply shall be extended by two weeks, to April 6, 2018; and

11 WHEREAS, this is the first stipulation for extension of time to file Plaintiff's response
12 and Defendants' reply to the Motion to Dismiss.

13 Dated: February 20, 2018
14 MCNAMARA SMITH LLP
15 /s/ Edward Chang
16 Edward Chang (NV 11783)
17 655 West Broadway, Suite 1600
18 San Diego, California 92101
19 Tel.: 619-269-0400
20 Fax: 619-269-0401
21 Attorneys for Court-Appointed Monitor,
22 Thomas W. McNamara

Dated: February 20, 2018
KOSTELANETZ & FINK, LLP
/s/ Christopher M. Ferguson
Christopher M. Ferguson
Kostelanetz & Fink, LLP
7 World Trade Center, 34th Floor
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Tel.: 212-808-8100
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cferguson@kflaw.com
Attorneys for Defendants Gary Patten and
Pano Advisors, Inc.

21 IT IS SO ORDERED:

22 
23 _____
24 UNITED STATES DISTRICT JUDGE

25 DATED: February 23, 2018
26 _____
27
28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 20th day of February, 2018, pursuant to Fed. R. Civ. P. 5(b), I
3 served via CM/ECF or delivered by email and mailing in the U.S. Mail a true and correct copy of
4 the foregoing a true and correct copy of the foregoing **STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**, postage prepaid and addressed to the following:

5 **VIA CM/ECF**

6 Sharon L. McCarthy
7 Christopher M. Ferguson
8 Cassandra Vogel
9 Kostelanetz & Fink, LLP
10 7 World Trade Center, 34th Floor
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12 Tel.: 212-808-8100
13 Admitted Pro Hac Vice
14 smccarthy@kflaw.com
15 cferguson@kflaw.com
16 cvogel@kflaw.com
17 *Attorneys for Defendants*

VIA CM/ECF

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Attorneys for Defendants

13 /s/ Edward Chang
14 Edward Chang
15 *Attorneys for the Court-appointed Monitor,*
16 *Thomas W. McNamara*