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 6 *Counsel for Defendants Leica Microsystems, Inc.,
 and Steve Milazzo*

7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 JOSEPH FIORAVANTE, an individual;
 MODERN ORTHOPAEDICS, LLC, a
 10 Nevada corporation,

11 Plaintiffs,

12 v.

13 LEICA MICROSYSTEMS, INC., a
 Delaware corporation; SOUTH RIDGE
 14 MICROSURGICAL, INC., a Utah
 corporation; STEVE MILAZZO, an
 15 individual (California); BRANDON
 ELGGREN, an individual (Utah); DOES I
 16 through X, inclusive; and ROE
 CORPORATIONS I through X, inclusive,

17 Defendants.
 18

Case No. 2:18-cv-00059-GMN-CWH

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND DEADLINE FOR
 DEFENDANTS LEICA
 MICROSYSTEMS, INC. AND STEVE
 MILAZZO TO RESPOND TO
 AMENDED COMPLAINT**

(Second Request)

19 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendants Leica Microsystems, Inc.
 20 (“Leica”) and Steve Milazzo (“Milazzo”) and Plaintiffs Joseph Fioravante and Modern
 21 Orthopaedics, LLC (collectively, “Plaintiffs”), by and through their respective counsel, hereby
 22 agree to extend the deadline for the Leica and Milazzo to plead or otherwise respond to
 23 Plaintiffs’ Amended Complaint (ECF No. 3) until April 9, 2018, and request that the Court enter
 24 an Order approving the same.

25 On January 30, 2018, Milazzo was served with process with respect to the Amended
 26 Complaint in the above-captioned matter. On February 1, 2018, Leica was served with process
 27 with respect to the Amended Complaint in the above-captioned matter. The parties previously
 28

1 stipulated to extend Leica and Milazzo’s deadline to response to the Amended Complaint until
2 March 26, 2018 (ECF No. 9), so that counsel could evaluate the allegations set forth in the
3 Amended Complaint and the factual circumstances underlying such allegations. The Court
4 entered an order approving the stipulation. (ECF No. 10).

5 Counsel for Plaintiffs, Leica, and Milazzo are engaged in good faith discussions in an
6 effort to attempt to resolve the dispute among themselves without the need for further litigation.
7 The parties are in agreement with respect to the extension to allow them to complete their
8 discussions prior to Leica and Milazzo having to respond to the Amended Complaint. This is the
9 parties’ second stipulation for an extension of time for Defendants Leica and Milazzo to respond
10 to the Amended Complaint.

11 Based on the foregoing, the parties respectfully request that the Court enter an order
12 extending the deadline for Leica and Milazzo to plead or otherwise respond to the Amended
13 Complaint until April 9, 2018.

14 Dated: March 22, 2018

Dated: March 22, 2018

16 By: /s/ Christopher R. Miltenberger
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By: /s/ M. Lani Esteban-Trinidad
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Microsystems, Inc. and Steve Milazzo*

*Attorneys for Plaintiffs Joseph Fioravante
and Modern Orthopaedics, LLC*

IT IS SO ORDERED:



**UNITED STATES
MAGISTRATE/DISTRICT JUDGE**

DATED: _ March 23, 2018 _