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

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

11 Plaintiffs,

12 v.

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

Defendants.

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**

(Third 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 23, 2018, and request that the Court
24 enter 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 April 9, 2018 (ECF Nos. 9, 13), 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 stipulations. (ECF No. 10, 14).

5 Counsel for Plaintiffs, Leica, and Milazzo are still 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’ third stipulation for an extension of time for Defendants Leica and Milazzo to respond to
10 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 23, 2018.

14 Dated: April 6, 2018

Dated: April 6, 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: April 9, 2018