1 David J. Merrill Nevada Bar No. 6060 2 David J. Merrill, P.C. 10161 Park Run Drive, Suite 150 3 Las Vegas, Nevada 89145 Telephone: (702) 566-1935 4 E-mail: david@djmerrillpc.com Attorney for Plaintiff 5 6 7 UNITED STATES DISTRICT COURT 8 DISTRICT OF NEVADA 9 LAS VEGAS REGIONAL SURGERY 2:18-CV-00093-RFB-(NJK) CENTER, L.P., a Nevada limited partnership, 10 Plaintiff. Stipulation and Order to Extend Time to File Response to Defendant's Motion to Dismiss 11 Plaintiff's First Amended Complaint Pursuant VS. 12 to F.R.C.P. Rule 12(b)(6) and the Reply in BLUE CROSS OF COLORADO, a business Support 13 organization, form unknown, and DOES 1–10, (First Request) 14 Defendants. 15 In accordance with LR IA 6-1, LR 7-1(a), and 7-2, the parties stipulate as 16 follows: 17 1. On October 9, 2018, Rocky Mountain Hospital and Medical Service, 18 Inc. doing business as Anthem Blue Cross and Blue Shield, erroneously named as 19 Blue Cross of Colorado, filed Defendant's Notice of Motion and Motion to Dismiss 20 Plaintiff's First Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and 12(e) 21 (ECF No. 32). In accordance with LR 7-2(b), the plaintiff, Las Vegas Regional 22 Surgery Center, L.P., has up to and including October 23, 2018, to file a response to 23 the motion. And Blue Cross would then have until October 30, 2018, to file a reply 24 in support of the motion to dismiss. 25 26 27 28

- 2. Because counsel for Las Vegas Regional Surgery Center has been and will be traveling, he asked for an extension of time until November 6, 2018, to file a response to the motion. Blue Cross agreed to the extension.
- 3. But because Blue Cross's counsel will be out of the office on November 13 (the new deadline for it to file a reply) she asked for an extension of time until November 15, 2018, to file the reply. Las Vegas Regional Surgery Center agreed to the extension.
- 4. The parties have agreed to these extensions for good cause and not solely for the purpose of delay.
- 5. This is the first request for an extension of time to file an opposition to the motion to dismiss.

6. Hence the parties stipulate that Las Vegas Regional Surgery Center shall have up to and including November 6, 2018, to file a response to the motion. And Blue Cross may file a reply in support of the motion on or before November 15, 2018.

DATED this 22nd day of October 2018.

DAVID J. MERRILL, P.C.

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IT IS SO ORDERED:

RICHARD F. BOULWARE, II United States District Court DATED: October 23, 2018.