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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 GOLD WATER TRADING CORPORATION, a
 13 Nevada corporation,

14 Plaintiff,

15 vs.

16 JINRO AMERICA, INC., a foreign corporation;
 DOES I-X, inclusive; and ROE Corporations and
 17 Limited Liability Companies I-X, inclusive,

18 Defendants.

CASE NO. 2:18-cv-00257 JAD-VCF

**STIPULATION AND ~~PROPOSED~~
 ORDER TO FILE SECOND
 AMENDED COMPLAINT**

[SECOND REQUEST]

19 Pursuant to LR 1A 6-1, LR 1A 6-2, LR 7-1, and FRCP 15(a)(2), Defendant Jinro America,
 20 Inc. (“JAI”) and Plaintiff Gold Water Trading Corporation (“Gold Water”) (collectively, the
 21 “Parties”), by and through their respective counsel of record, hereby agree and stipulate to withdraw
 22 Gold Water’s Motion for Leave to File Second Amended Complaint (ECF No. 31), permit Gold Water
 23 to file a Second Amended Complaint on or before June 1, 2018, to extend JAI’s deadline to answer
 24 Gold Water’s Second Amended Complaint to June 29, 2018, and request that the Court enter an order
 25 approving same.

26 WHEREAS Gold Water filed its Complaint in this matter in the Eighth Judicial District Court,
 27 Clark County, Nevada on January 31, 2018. JAI removed the action to this Court on February 12,
 28 2018 (ECF No. 1). Plaintiff did not move to remand this action.

1 WHEREAS on February 16, 2018, Gold Water filed an Emergency Motion for Temporary
2 Restraining Order and Preliminary Injunction (the “Motion”) (ECF No. 7). JAI filed its Opposition
3 to the Motion on February 21, 2018 (ECF No. 9). Gold Water filed its Reply in support of its Motion
4 on February 28, 2018 (ECF No. 17). On March 6, 2018, the Court entered an Order Denying the
5 relief sought in the Motion (the “Order”). (ECF No. 20). In the Order, the Court noted that certain
6 “new evidence might cause Gold Water to seek to amend its pleading.” *See* Order, ECF No. 20, 6:1-
7 2.

8 WHEREAS subsequent to the issuance of the Order, the parties conducted a telephonic meet
9 and confer with respect to the status of this action. During this meet and confer, Gold Water indicated
10 that it intended to amend its Complaint and the parties discussed a briefing schedule to allow Gold
11 Water to file its First Amended Complaint and for JAI to file its response to Gold Water’s First
12 Amended Complaint. On March 13, 2018, the parties filed a stipulation and proposed order to permit
13 Gold Water to file its First Amended Complaint and to extend the deadline for JAI to answer the First
14 Amended Complaint. (ECF No. 23). The Court approved the stipulation via order. (ECF No. 25).
15 Gold Water filed its First Amended Complaint on April 12, 2018. (ECF No. 29). JAI filed its Answer
16 to the First Amended Complaint on April 27, 2018. (ECF No. 30).

17 WHEREAS on May 11, 2018, Gold Water sought leave from the Court to file a Second
18 Amended Complaint. (ECF Nos. 31, 31-1). On May 17, 2018, in the interests of judicial economy
19 and to reduce the need for the parties to file unnecessary documents with the Court, the parties
20 discussed a briefing schedule to allow Gold Water to file its Second Amended Complaint and for JAI
21 to file its response thereto.

22 Based on the foregoing, and pursuant to FRCP 15(a)(2), the parties respectfully request that
23 the Court enter an order as contemplated by the parties during their meet and confer, as follows:

- 24 1. Gold Water’s existing Motion for Leave to file a Second Amended Complaint (ECF
25 No. 31) is withdrawn;
- 26 2. Gold Water shall have up to and including **June 1, 2018**, in which to file and serve a
27 Second Amended Complaint;

28

1 3. JAI shall have up to and including **June 29, 2018**, in which to answer Gold Water's
2 Second Amended Complaint.

3 This stipulation is entered into in good faith and is not intended to delay these proceedings.
4 Instead, this stipulation will further the interests of justice and judicial efficiency. No party in the
5 action will be prejudiced by this stipulation as all parties are in agreement with respect to this
6 schedule. Based on the foregoing, good cause exists to enter the order extending the parties' briefing
7 schedule as contemplated herein and the parties respectfully request that the Court enter an order
8 approving the same.

9 This is the parties' second request for an extension of time for either Gold Water to submit an
10 amended pleading or for JAI to serve a response to any Complaint.

11 DATED this 23rd day of May, 2018.

DATED this 23rd day of May, 2018.

12 GREENBERG TRAUIG, LLP

LEVINE, GARFINKEL & ECKERSLEY

13 /s/ Christopher R. Miltenberger

/s/ Louis E. Garfinkel

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22
23 **IT IS SO ORDERED:**

24 
25 _____
26 **UNITED STATES MAGISTRATE JUDGE**

27 **DATED: 5-24-2018**