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 9 *ATM Merchant Systems*

10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 JB CARTER ENTERPRISES, LLC DBA  
 13 ATM MERCHANT SYSTEMS, a Nevada  
 14 limited-liability company

Case No.: 2:18-cv-00394-JAD-NJK

15 Plaintiff,

[ECF No. 72]

16 vs.

17 ELAVON, INC., a Georgia Corporation; DOE  
 18 DEFENDANTS 1 through 10; and ROE DOE  
 DEFENDANTS 1 through 10;

19 Defendants.  
 20

21 **ORDER GRANTING STIPULATION TO EXTEND BRIEFING SCHEDULE FOR ONE**  
 22 **DAY**  
 23 **(THIRD REQUEST)**

24 Plaintiff, JB Carter Enterprises, LLC d/b/a ATM Merchant Systems, (“ATMMS” or  
 25 “Plaintiff”), by and through its attorneys of record, Michael R. Mushkin, Esq. and L.  
 26 Joe Coppedge, Esq., of the law firm Mushkin Cica Coppedge, and Defendant Elavon  
 27 (“Defendant”), by and through its attorneys of record, Joseph G. Went and Sydney R. Gambee  
 28 of the law firm of Holland & Hart stipulate and agree to extend the deadline for the parties  
 to file replies in support of their respective Motions for Summary Judgment (“Motions”) filed  
 herein.

1 In support of this stipulation, the parties state that on March 28, 2019, Defendant filed its  
2 Motion for Summary Judgment (Doc. 59) and Plaintiff filed its Motion for Partial Summary  
3 Judgment (Doc. 64). After the filing of the Motions, the parties agreed to extend the deadlines  
4 for both parties to respond to the Motions for a period of two (2) weeks (Doc. 65), and then for  
5 an additional one (1) day (Doc. 67). Both parties filed timely oppositions to the Motions on May  
6 3, 2019 (Docs 69 and 71), making the Replies in support of the Motions due on Friday, May 17,  
7 2019. The parties agree that a brief extension of one judicial day is merited in order to compete  
8 and file the replies in support of the Motions.

9 IT IS HEREBY STIPULATED that the deadline for Defendant to file its reply in  
10 support of the Defendant's Motion for Partial Summary Judgment (Doc. 59), currently due on  
11 May 17, 2019 shall be extended for one judicial day to Monday, May 20, 2019.

12 IT IS FURTHER STIPULATED that the deadline for Plaintiff to file its reply in support  
13 of Plaintiff's Motion for Summary Judgment (Doc. 64), currently due on May 17, 2019 shall be  
14 extended for one judicial day to Monday, May 20, 2019.

15 Dated this 16th day of May, 2019

Dated this 16th day of May, 2019

16 MUSHKIN • CICA • COPPEDGE

HOLLAND & HART

17 /s/L. Joe Coppedge

/s/ Sydney R. Gambée

18 MICHAEL R. MUSHKIN

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24 Attorneys for Plaintiff

Attorneys for Defendant

*ATM Merchant Systems*

*Elavon*

25  
26 **IT IS SO ORDERED.**

27   
28 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

DATED: May 16, 2019