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

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10 GIUMARRA BROS. FRUIT CO., INC.,  
et al.,

11 Plaintiff(s),

12 v.

13 PARADISE PRODUCE LLC, et al.,

14 Defendant(s).  
15

Case No.: 2:18-cv-00395-APG-NJK

**Order**

(Docket No. 34)

16 Pending before the Court is Plaintiffs' motion to extend the deadline to file a joint proposed  
17 discovery plan and scheduling order. Docket No. 34. Plaintiffs submit that Defendants consent  
18 to the instant motion. Id. at 3.

19 Plaintiffs ask the Court to extend the deadline to file a joint proposed discovery plan from  
20 August 4, 2018, to September 5, 2018. Id. at 1-2. Plaintiffs submit that Defendant Paradise  
21 Produce LLC ("Paradise Produce") filed a petition for bankruptcy on June 25, 2018. Id. at 2.  
22 Plaintiffs further submit that an extension is warranted because Defendant Paradise Produce's  
23 bankruptcy trustee requires additional time to decide "whether to retain separate counsel or have  
24 [Defendant] Paradise Produce's current counsel continue with litigating Paradise Produce's  
25 counterclaim." Id. at 3.

26 On July 5, 2018, Defendant Paradise Produce filed a notice of bankruptcy. Docket No. 32.  
27 In that notice, Defendant Paradise Produce submits that its filing imposed an automatic stay. Id.  
28 at 2. Accordingly, the Court hereby **STAYS** this case as to Defendant Paradise Produce ONLY,

1 pending either the lifting of the stay or resolution of its bankruptcy proceeding. Defendant Paradise  
2 Produce shall file a status report in the instant case, regarding its bankruptcy case and the stay,  
3 every 30 days, beginning September 6, 2018. The Court **DENIES** Plaintiffs' motion at Docket  
4 No. 34 and **ORDERS** all other parties to file a joint proposed discovery plan and scheduling order,  
5 no later than August 13, 2018.

6 IT IS SO ORDERED.

7 Dated: August 6, 2018

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11 NANCY J. KOPPE  
12 United States Magistrate Judge  
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