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10 *Counsel for Defendant PHWLTV, LLC*

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

13 Aladdin's Eatery Systems, Inc., an Ohio
14 corporation,
15 Plaintiff,
16 v.
17 PHWLTV, LLC a Nevada limited liability
company; and OPBIZ, LLC, Nevada
18 limited liability company,
19 Defendants.

Case No. 2:18-cv-00412 APG-GWF

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINE FOR
DEFENDANT PHWLTV, LLC TO
RESPOND TO AMENDED
COMPLAINT FOR DECLARATORY
JUDGMENT [ECF 31]**

(Second Request)

20 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendant PHWLTV, LLC ("PHWLTV")
21 and Plaintiff Aladdin's Eatery Systems, Inc. ("Plaintiff"), by and through their respective
22 counsel, hereby stipulate and agree to extend the deadline for Defendant PHWLTV to plead or
23 otherwise respond to Plaintiff's Amended Complaint for Declaratory Judgment (Doc. #31)
24 ("Amended Complaint") until July 6, 2020, and request that the Court enter an Order approving
25 the same. This is the parties' second request for an extension of the deadline to respond to the
26 Amended Complaint since the entry of the Court's Order on PHWLTV's Motion to Dismiss
27 Amended Complaint on April 20, 2020 (Doc. #48).

1 On March 22, 2019, the Court entered an Order (Doc. #30) granting PHWLV’s Motion to
2 Dismiss Plaintiff’s Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) (Doc. #21), and
3 providing Plaintiff until April 12, 2019 to file an Amended Complaint.

4 On April 12, 2019, Plaintiff timely filed its Amended Complaint (Doc. #31).

5 On June 10, 2019, PHWLV filed a Motion to Dismiss the Amended Complaint (Doc.
6 #40), which motion was thereafter fully briefed by the parties.

7 On April 20, 2020, the Court entered an Order (Doc. #48) denying PHWLV’s Motion to
8 Dismiss Amended Complaint. On April 29, 2020, the Court entered an Order (Doc. #52)
9 approving the parties’ stipulation to extend the time for PHWLV to respond to Plaintiff’s
10 Amended Complaint to June 4, 2020, in light of ongoing settlement discussions.

11 The parties’ settlement discussions are still ongoing. As a result, PHWLV has requested
12 an additional extension until July 6, 2020 to enable the parties to continue to pursue a potential
13 settlement. This is PHWLV’s second request for an extension of its deadline to respond to the
14 Amended Complaint since the entry of an Order denying PHWLV’s Motion to Dismiss
15 Amended Complaint. Plaintiff has agreed to the requested extension as a matter of professional
16 courtesy and in light of the parties’ ongoing discussions.

17 This Stipulation is entered into in good faith and is not intended to delay these
18 proceedings. The parties will not be prejudiced by this Stipulation and the parties are in
19 agreement with respect to PHWLV’s requested extension.

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1 Based on the foregoing, good cause exists to grant PHWLV's request and the parties
2 respectfully request that the Court enter an order extending the deadline for PHWLV to plead or
3 otherwise respond to the Amended Complaint until July 6, 2020.

4 Dated: June 4, 2020

Dated: June 4, 2020

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6 By: /s/ Christopher R. Miltenberger

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23 IT IS SO ORDERED:

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25 UNITED STATES
26 MAGISTRATE/DISTRICT JUDGE

27 DATED: 6/8/2020
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