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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 Aladdin's Eatery Systems, Inc., an Ohio  
15 corporation,

16 Plaintiff,

17 v.

18 PHWLTV, LLC a Nevada limited liability  
19 company; and OPBIZ, LLC, Nevada  
20 limited liability company,

21 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]**

**(Third Request)**

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23 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendant PHWLTV, LLC ("PHWLTV")  
 24 and Plaintiff Aladdin's Eatery Systems, Inc. ("Plaintiff"), by and through their respective  
 25 counsel, hereby stipulate and agree to extend the deadline for Defendant PHWLTV to plead or  
 26 otherwise respond to Plaintiff's Amended Complaint for Declaratory Judgment (Doc. #31)  
 27 ("Amended Complaint") until August 5, 2020, and request that the Court enter an Order

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1 approving the same. This is the parties' third request for an extension of the deadline to respond  
2 to the Amended Complaint since the entry of the Court's Order on PHWLV's Motion to Dismiss  
3 Amended Complaint on April 20, 2020 (Doc. #48).

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

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

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

10 On April 20, 2020, the Court entered an Order (Doc. #48) denying PHWLV's Motion to  
11 Dismiss Amended Complaint. On April 29, 2020, the Court entered an Order (Doc. #52)  
12 approving the parties' stipulation to extend the time for PHWLV to respond to Plaintiff's  
13 Amended Complaint to June 4, 2020, in light of ongoing settlement discussions. On June 8,  
14 2020, the Court entered an Order (Doc. #54) approving the parties' stipulation to extend the time  
15 for PHWLV to respond to Plaintiff's Amended Complaint to July 6, 2020, again in light of  
16 ongoing settlement discussions.

17 The parties' settlement discussions are still ongoing, and the parties have reached an  
18 agreement in principle to resolve their dispute and dismiss this action. As a result, PHWLV has  
19 requested an additional extension until August 5, 2020 to enable the parties to finalize the terms  
20 of settlement. This is PHWLV's third request for an extension of its deadline to respond to the  
21 Amended Complaint since the entry of an Order denying PHWLV's Motion to Dismiss  
22 Amended Complaint. Plaintiff has agreed to the requested extension as a matter of professional  
23 courtesy and in light of the parties' ongoing settlement discussions.

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

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1 Based on the foregoing, good cause exists to grant PHWLTV's request and the parties  
2 respectfully request that the Court enter an order extending the deadline for PHWLTV to plead or  
3 otherwise respond to the Amended Complaint until August 5, 2020.

4 Dated: July 6, 2020

Dated: July 6, 2020

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6 By: /s/ Christopher R. Miltenberger  
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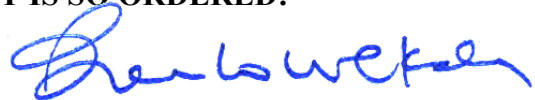
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14 *LLC*

*Attorneys for Plaintiff Aladdin's Eatery*  
*Systems, Inc.*

15  
16 **IT IS SO ORDERED:**

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18 **UNITED STATES**  
19 **MAGISTRATE/DISTRICT JUDGE**

20 **DATED:** July 7, 2020

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