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14 *Members and Hawaii Class Members*

15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF NEVADA

17 DANIEL GONZALEZ and JEFFREY HUGHES,  
on behalf of themselves and others similarly  
18 situated,

19 Plaintiffs,

20 v.

21 DIAMOND RESORTS INTERNATIONAL  
MARKETING, INC., DIAMOND RESORTS  
22 INTERNATIONAL, INC., DIAMOND  
RESORTS CORPORATION, and WEST MAUI  
23 RESORTS PARTNERS, L.P.,

24 Defendants.

Case No. 2:18-cv-00979-APG-NJK

STIPULATION AND ORDER  
EXTENDING THE DEADLINE FOR  
PLAINTIFFS TO FILE THEIR  
OPPOSITION TO DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT AND THE DEADLINE  
FOR DEFENDANTS TO FILE  
THEIR REPLY

(FIRST REQUEST)

26 Plaintiffs Daniel Gonzalez and Jeffrey Hughes, on behalf of themselves and others  
27 similarly situated (collectively "Plaintiffs"), and Defendants Diamond Resorts International  
28

1 Marketing, Inc. and West Maui Resorts Partners, L.P. (collectively “Defendants”) (Plaintiffs and  
2 Defendants are collectively referred to as “the Parties”), by and through their respective counsel,  
3 hereby submit this Stipulation and Order extending the deadline for Plaintiffs to file their  
4 opposition to Defendants’ Motion for Summary Judgment by seven days and extending  
5 Defendants’ deadline to file their reply by a mutual, corresponding, seven days. Defendants filed  
6 their Motion for Summary Judgment on March 19, 2021. (ECF No. 202.) Plaintiffs’ opposition  
7 is due by April 9, 2021. This is the Parties’ first request to extend the deadlines for Plaintiffs to  
8 file their opposition to Defendants’ Motion for Summary Judgment and for Defendants to file their  
9 reply to Plaintiffs’ opposition to Defendants’ Motion for Summary Judgment.

10 The Parties HEREBY STIPULATE AND AGREE as to the following:

11 1. On March 19, 2021, Defendants filed their Motion for Summary Judgment (ECF  
12 No. 202) and Plaintiffs’ opposition is due on or before April 9, 2021.

13 2. Plaintiffs’ lead counsel, Martin Holmes, is traveling out of state from his home on  
14 April 5, 2021, to undergo medical testing that week and a surgical procedure under general  
15 anesthesia on April 9, 2021, the due date of Plaintiffs’ Opposition. Mr. Holmes is scheduled to  
16 return to home on April 12, 2021.

17 3. During the time period between April 5, 2021 and April 12, 2021, Mr. Holmes will  
18 have limited access to emails and other communication with co-counsel and staff, and will not be  
19 in the office during the week of April 5 – 9, 2021, to oversee the completion and filing of Plaintiffs’  
20 opposition to Defendants’ Motion for Summary Judgment.

21 4. Plaintiffs’ counsel has conferred with Defendants’ counsel. In light of the  
22 circumstances, the Parties submit that good cause exists for a mutual, seven-day, expansion of the  
23 briefing schedule and extension of the filing deadlines. Specifically, Plaintiffs would have four  
24 weeks instead of three weeks to submit their opposition, which extends their deadline from April  
25 9, 2021, to April 16, 2021. Likewise, Defendants would have three weeks instead of two weeks  
26  
27  
28

1 to submit their reply, which extends their deadline from April 30, 2021 to May 7, 2021.<sup>1</sup> The  
2 requested extensions should not cause any material delay in these proceedings.

3 5. Based on the foregoing, the Parties stipulate that Plaintiffs' opposition to  
4 Defendants' Motion for Summary Judgments shall be filed on or before April 16, 2021 and  
5 Defendants reply to Plaintiffs' opposition to Defendants' Motion for Summary Judgment shall be  
6 filed on or before May 7, 2021.

7  
8 IT IS SO STIPULATED this 31<sup>st</sup> day of March, 2021.

9  
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27 *Collective Class Members*  
28 *and Hawaii Class Members*

*Attorneys for Defendants*

25  
26 Based on the Parties' stipulations, and for good cause shown, it is hereby ORDERED that  
27 the Plaintiffs' opposition to Defendants' Motion for Summary Judgment shall be filed on or before

28 <sup>1</sup> Pursuant to Local Rule 7-2(b), Defendants' reply is due 14 days after service of Plaintiffs' response.



1 April 16, 2021 and Defendants' reply to Plaintiffs' opposition to Defendants' Motion for Summary  
2 Judgment shall be filed on or before May 7, 2021.

3  
4 IT IS SO ORDERED:

5   
6 \_\_\_\_\_  
7 ANDREW P. GORDON  
8 United States District Judge

9 DATED: April 1, 2021

10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on March 31, 2021, I caused a true and accurate copy of the foregoing  
12 STIPULATION AND ORDER EXTENDING THE DEADLINE FOR PLAINTIFFS TO FILE  
13 THEIR OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
14 THE DEADLINE FOR DEFENDANTS TO FILE THEIR REPLY to be filed with the Clerk of  
15 the Court via the Court's CM/ECF system, which sent an electronic copy of same to the following  
16 counsel of record:

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