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

9 PAUL B. CANALE, M.D., an individual  
 and Alabama resident,

2:18-CV-01020-GMN-(VCF)

10 Plaintiff,

*Stipulation and Order to Extend Time to  
 File Response to the Complaint*

11 vs.

(First Request)

12 SAHARA OUTPATIENT SURGERY  
 13 CENTER, LTD., a Nevada limited part-  
 nership; SURGICARE OF LAS VEGAS,  
 14 INC., a Nevada corporation; LANCE  
 HICKMAN, an individual and Tennes-  
 15 see resident; DOES I through X; ROE  
 CORPORATIONS I through X, inclu-  
 16 sive,

17 Defendants.

18 In accordance with LR 7-1(a), the plaintiff, Paul B. Canale, M.D., and defend-  
 19 ant Lance Hickman, stipulate as follows:

20 1. On April 17, 2018, Dr. Canale filed a complaint in the Eighth Judicial  
 21 District Court. (ECF No. 1-2). Defendants Sahara Outpatient Surgery Center, Ltd.  
 22 and Surgicare of Las Vegas, Inc. removed the action to this Court on June 5, 2018.  
 23 (ECF No. 1.) Dr. Canale served Hickman with a copy of the summons and complaint  
 24 on September 1, 2018. (ECF No. 23). Under Fed. R. Civ. P. 12(1)(a)(1) and  
 25 6(a)(1)(C), Hickman has up to and including September 24, 2018, to file a response  
 26 to the complaint.  
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1           2.     Because counsel for Hickman was out-of-state, he requested, and Dr.  
2 Canale's counsel agreed, to a brief extension until Friday, September 28, 2018.

3           3.     This is the first stipulation for an extension of time to file a response to  
4 the complaint.

5           4.     The parties have agreed to this extension for good cause and not solely  
6 for the purpose of delay.

7           5.     Accordingly, the parties stipulate that Hickman shall have up to and  
8 including September 28, 2018, to file a response to the complaint.

9           Dated this 24th day of September 2018.

10          Erickson & Whitaker PC

David J. Merrill, P.C.

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12          By:    /s/ Brian C. Whitaker  
13                Brian C. Whitaker  
14                1349 Galleria Drive, Suite 200  
15                Henderson, Nevada 89014  
               (702) 433-9696  
               Attorney for Plaintiff

By:    /s/ David J. Merrill  
David J. Merrill  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
(702) 566-1935  
Attorney for Defendant Lance Hickman

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18                               **It is so ordered:**

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21                               \_\_\_\_\_  
**United States Magistrate**

22                               **Judge**\_\_\_\_\_

23                               Dated: September 24, 2018  
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