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 15 *Attorneys for Plaintiff and*
 16 *Collective Class Members*

17 **UNITED STATES DISTRICT COURT**
 18 **DISTRICT OF NEVADA**

19 ALBERTO DELARA, on behalf of himself and
 20 others similarly situated,

21 Plaintiff,

22 v.

23 DIAMOND RESORTS INTERNATIONAL
 24 MARKETING, INC.,

25 Defendant.

Case No. 2:19-cv-00022-APG-NJK

**STIPULATION AND ORDER
 EXTENDING THE DEADLINE
 FOR PLAINTIFF TO FILE HIS
 OPPOSITION TO DEFENDANT'S
 MOTION FOR SUMMARY
 JUDGMENT AND THE
 DEADLINE FOR DEFENDANT
 TO FILE ITS REPLY**

(FIRST REQUEST)

1 Plaintiff Alberto Delara, on behalf of himself and others similarly situated, and Defendant
2 Diamond Resorts International Marketing, Inc. (Plaintiff and Defendant are collectively referred
3 to as “the Parties”), by and through their respective counsel, hereby submit this Stipulation and
4 Order extending the deadline for Plaintiff to file his opposition to Defendant’s Motion for
5 Summary Judgment by seven days and extending Defendant’s deadline to file its reply by a mutual,
6 corresponding, seven days. Defendant filed its Motion for Summary Judgment on March 19, 2021.
7 (ECF No. 141.) Plaintiff’s opposition is due by April 9, 2021. This is the Parties’ first request to
8 extend the deadlines for Plaintiff to file his opposition to Defendant’s Motion for Summary
9 Judgment and for Defendant to file its reply to Plaintiff’s opposition to Defendant’s Motion for
10 Summary Judgment.

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

12 1. On March 19, 2021, Defendant filed its Motion for Summary Judgment (ECF No.
13 141) and Plaintiff’s opposition is due on or before April 9, 2021.

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

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

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

1 submit its reply, which extends its deadline from April 30, 2021 to May 7, 2021.¹ The requested
2 extensions should not cause any material delay in these proceedings.

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

7
8 IT IS SO STIPULATED this 31st day of March, 2021.

9 DICKINSON WRIGHT PLLC LEWIS ROCA ROTHGERBER CHRISTIE LLP

10 /s/ Martin D. Holmes
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23 *Collective Class Members*

Attorneys for Defendant

24
25 Based on the Parties’ stipulations, and for good cause shown, it is hereby ORDERED that
26 the Plaintiff’s opposition to Defendant’s Motion for Summary Judgment shall be filed on or before
27

28 ¹ Pursuant to Local Rule 7-2(b), Defendant’s reply is due 14 days after service of Plaintiff’s response.



1 April 16, 2021 and Defendant's reply to Plaintiff's opposition to Defendant's 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 PLAINTIFF TO FILE HIS
13 OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND THE
14 DEADLINE FOR DEFENDANT TO FILE ITS REPLY to be filed with the Clerk of the Court via
15 the Court's CM/ECF system, which sent an electronic copy of same to the following counsel of
16 record:

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/s/ Martin D. Holmes
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