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16 Attorneys for Defendant/Counterclaimant,
 BEYOND WEALTH PTE LLC

18 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 T1 PAYMENTS LLC, a Nevada limited
 liability company,

21 Plaintiff,

22 vs.

23 BEYOND WEALTH PTE LLC, a Utah
 Limited liability company;

24 Defendants.

25 [And related Counterclaim]
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Case No. 2:20-cv-01405-JCM-VCF

**STIPULATION REGARDING
 SERVICE OF COUNTER-
 DEFENDANTS, TIME TO RESPOND
 TO FIRST AMENDED
 COUNTERCLAIM, AND
 DISCOVERY DATES; [PROPOSED]
 ORDER**

1 WHEREAS, T1 Payments Limited and TGlobal Services Limited moved to dismiss for
2 insufficient service under Rule 12(b)(5) and the Parties wish to resolve this motion without additional
3 filings.

4 WHEREAS, the Rule 26(f) Conference is to be completed by November 9, 2020. The
5 Discovery Plan and Scheduling Order is to be filed by November 16, 2020. All initial disclosures
6 shall be served by November 30, 2020. (Dkt. No. 97).

8 WHEREAS, counter-defendants T1 Payments Limited, TGlobal Services Limited, Amber
9 Fairchild, Donald Kasdon, and Debra Karen King AKA Debra Karen Kasdon wish to refrain from
10 engaging in discovery until after they respond to Beyond Wealth's First Amended Counterclaim
11 ("FACC").

12 WHEREAS, the Parties agreed to enter into this stipulation in the interests of eliminating
13 needless filings and resolving disputes over service, time to respond to Beyond Wealth's FACC, and
14 discovery dates without prejudice to the motion to stay discovery filed by T1 Payments on November
15 2, 2020.

17 THEREFORE, the Parties hereby STIPULATE:

- 18 1. T1 Payments Limited, TGlobal Services Limited, Donald Kasdon, Amber Fairchild,
19 and Debra Karen King AKA Debra Karen Kasdon shall be deemed summoned and
20 served with Beyond Wealth's FACC (Dkt. No. 21). T1 Payments Limited, TGlobal
21 Services Limited, Donald Kasdon, Amber Fairchild, and Debra Karen King AKA
22 Debra Karen Kasdon hereby waive all arguments that service was improper.
- 24 2. T1 Payments Limited and TGlobal Services Limited withdraw their Rule 12(b)(5)
25 Motion to Dismiss (Dkt. No. 72).
- 26 3. T1 Payments Limited and TGlobal Services Limited shall have until December 18,
27 2020, to respond to Beyond Wealth's FACC.

- 1 4. Amber Fairchild, Donald Kasdon and Debra Karen King AKA Debra King Kasdon
2 shall have until January 8, 2021, to respond to Beyond Wealth's FACC.
- 3 5. Beyond Wealth shall not propound discovery on T1 Payments Limited or TGlobal
4 Services Limited until on or after December 19, 2020.
- 5 6. Beyond Wealth shall not propound discovery on Amber Fairchild, Donald Kasdon
6 and Debra Karen King AKA Debra King Kasdon until on or after January 8, 2021.
- 7 7. Nothing herein affects Beyond Wealth's rights to serve discovery with respect to any
8 other party in accordance with the Federal Rules of Civil Procedure and the Court's
9 local rules.
- 10 8. Nothing herein affects any right of T1 Payments Limited, TGlobal Services Limited,
11 Amber Fairchild, Donald Kasdon, or Debra Karen King AKA Debra King Kasdon to
12 seek dismissal of the complaint on the merits or to object to any discovery under
13 applicable law.
- 14 9. By entering into this Stipulation, T1 Payments Limited, TGlobal Services Limited,
15 Amber Fairchild, Donald Kasdon, or Debra Karen King AKA Debra King Kasdon:
16 (a) do not waive any right or defense they have in the litigation except as to service
17 of the FACC; and (b) do not waive any right any of them might have to object to any
18 discovery or seek a stay of discovery pending resolution of the motion to disqualify
19 counsel filed with the Court at ECF No. 90.

20
21 Respectfully submitted November 5, 2020,

22 **WELLMAN & WARREN**

23
24 By:

/s/ Scott Wellman

SCOTT W. WELLMAN

Attorneys for Defendant/ Counterclaimant,
BEYOND WEALTH PTE LLC

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By: /s/ Bradley S. Slighting
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BEYOND WEALTH PTE LLC

KAPLAN COTTNER

By: /s/ Kory L. Kaplan
KORY L. KAPLAN
Attorneys for Counterclaim-Defendants
T1 PAYMENTS LIMITED, TGLOBAL SERVICES
LIMITED, AMBER FAIRCHILD, and DEBRA
KAREN KING aka DEBRA KAREN KASDON

[PROPOSED] **ORDER**

Pursuant to the stipulation of the parties, the Court orders:


1. T1 Payments Limited, TGlobal Services Limited, Donald Kasdon, Amber Fairchild, and Debra Karen King AKA Debra Karen Kasdon are summoned and served with Beyond Wealth’s First Amended Counterclaim (“FACC”) (Dkt. No. 21).
2. T1 Payments Limited, TGlobal Services Limited, Donald Kasdon, Amber Fairchild, and Debra Karen King AKA Debra Karen Kasdon hereby waive all arguments that service was improper.
3. T1 Payments Limited and TGlobal Services Limited Rule 12(b)(5) Motion to Dismiss (Dkt. No. 72) is withdrawn with prejudice.
4. T1 Payments Limited and TGlobal Services Limited, shall have until December 18, 2020 to respond to Beyond Wealth’s FACC.
5. Donald Kasdon, Amber Fairchild, and Debra Karen King AKA Debra Karen Kasdon shall have until January 8, 2021, to respond to Beyond Wealth’s FACC.
6. Beyond Wealth shall not propound discovery on T1 Payments Limited or TGlobal Services Limited until on or after December 19, 2020.
7. Beyond Wealth shall not propound discovery on Amber Fairchild, Donald Kasdon or Debra Karen King AKA Debra King Kasdon until on or after January 8, 2021.
8. This Order does not affect Beyond Wealth’s rights to serve discovery with respect to any other party in accordance with the Federal Rules of Civil Procedure and the Court’s local rules.
9. This Order does not affect any right of T1 Payments Limited, TGlobal Services Limited, Amber Fairchild, Donald Kasdon, or Debra Karen King AKA Debra King

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Kasdon to seek dismissal of the complaint on the merits or to object to any discovery under applicable law, or to seek a stay of discovery pending resolution of the motion to disqualify counsel filed with the Court at ECF No. 90.

IT IS SO ORDERED

Dated: 11-16-2020



Cam Ferenbach
United States Magistrate Judge