

1 FRANK M. FLANSBURG III, ESQ., NV Bar No. 6974  
2 fflansburg@bhfs.com  
3 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
4 100 North City Parkway, Suite 1600  
5 Las Vegas, NV 89106-4614  
6 Telephone: 702.382.2101  
7 Facsimile: 702.382.8135

8 BROOK B. ROBERTS, ESQ. (*pro hac vice*)  
9 brook.roberts@lw.com  
10 LATHAM & WATKINS LLP  
11 12670 High Bluff Drive  
12 San Diego, California 92130  
13 Telephone: (858) 523-5400  
14 Facsimile: (858) 523-5450

15 *Attorneys for Plaintiff Golden Entertainment, Inc.*

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18 **UNITED STATES DISTRICT COURT**

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20 **DISTRICT OF NEVADA**

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22 GOLDEN ENTERTAINMENT, INC.,

23 Case No.: 2:21-cv-00969-CDS-EJY

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25 Plaintiff,

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27 vs.

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FACTORY MUTUAL INSURANCE  
COMPANY,

29 **JOINT STIPULATION TO CONTINUE THE  
30 FILING DATE FOR FACTORY MUTUAL  
31 INSURANCE COMPANY'S MOTION TO  
32 DISMISS IN LIGHT OF PLAINTIFF  
33 GOLDEN ENTERTAINMENT, INC.'S  
34 INTENTION TO SEEK LEAVE TO FILE A  
35 SECOND AMENDED COMPLAINT**

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1 Plaintiff Golden Entertainment, Inc. (“Golden”) has advised defendant Factory Mutual  
2 Insurance Company (“FMIC”), that Golden intends to seek leave to file a second amended  
3 complaint. As such, the parties, by and through their respective counsel of record, hereby stipulate  
4 as follows:

5 WHEREAS, the current deadline for FMIC to file its renewed motion to dismiss is  
6 November 20, 2023 (ECF Nos. 83, 84 and 85);

7 WHEREAS, Golden intends to file a motion on or before November 20, 2023 seeking leave  
8 to file a second amended complaint in this matter;

9 WHEREAS, FMIC (having not yet seen the proposed amended complaint) intends to  
10 oppose Golden’s motion for leave to file a second amended complaint;

11 WHEREAS, Golden and FMIC agree that it would be in the interests of the parties and this  
12 Court to have the issue of Golden’s proposed amendment resolved before FMIC is required to file  
13 its motion to dismiss a complaint that may or may not become inactive in the near future; and

14 WHEREAS, this is the first stipulation for extension of time to file motions since the stay  
15 was lifted in this matter and Joint Proposed Discovery Plan and Scheduling Order was adopted  
16 (ECF No. 85);

17 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties that:

- 18 1. Golden’s motion seeking leave to file a second amended complaint in this matter shall  
19 be filed on or before November 20, 2023;
- 20 2. The current deadline for FMIC to file its renewed motion to dismiss is vacated; and
- 21 3. FMIC shall file its renewed motion to dismiss within 45 days of the Court’s order  
22 granting or denying Golden’s motion for leave to file a second amended complaint.

1 Dated: November 13, 2023  
2 LATHAM & WATKINS LLP  
3 By: /s/ Brook B. Roberts  
4 BROOK B. ROBERTS, ESQ.\*  
5 COREY D. MCGEHEE, ESQ.\*  
6 12670 High Bluff Drive  
7 San Diego, California 92130  
8 CHRISTINE G. ROLPH, ESQ.\*  
9 555 Eleventh Street, NW, Suite 1000  
10 Washington, D.C. 20004-1304

11 \*admitted pro hac vice

12 *Attorneys for Plaintiff*  
13 *Golden Entertainment, Inc.*

14 Dated: November 10, 2023  
15 WEINBERG, WHEELER, HUDGINS,  
16 GUNN & DIAL, LLC  
17 By: /s/ Ryan T. Gormley  
18 RYAN T. GORMLEY, ESQ.  
19 Nevada Bar No. 13494  
20 6385 South Rainbow Blvd., Suite 400  
21 Las Vegas, Nevada 89118

22 BROWNSTEIN HYATT FARBER  
23 SCHRECK, LLP

24 FRANK M. FLANSBURG III, ESQ.  
25 Nevada Bar No. 6974  
26 100 North City Parkway, Suite 1600  
27 Las Vegas, NV 89106-4614

28 JONES TURNER LLP

29 STEVEN D. TURNER, ESQ.\*  
30 MARIYETTA A. MEYERS-LOPEZ\*  
31 2 Venture, Suite 220  
32 Irvine, California 92618

33 \*admitted pro hac vice

34 *Attorneys for Defendant*  
35 *Factory Mutual Insurance Company*

36 **IT IS SO ORDERED.**

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38 **HON. ELAYNA J. YOUCAH**  
39 **U.S. MAGISTRATE JUDGE**

40 **Dated: November 14, 2023**