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Pricestack, Inc. dba Preflect

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

9 PRICESTACK, INC., a Delaware
corporation,

10 Plaintiff,

11 v.

12 HEART OF SUN, LLC, a Florida
13 limited liability company; SOPHIA
LIMA, an individual; and NICHOLAS
14 RUS, an individual,

15 Defendants.

Case No.: 2:22-cv-01447-APG-DJA

**PLAINTIFF’S MOTION FOR
EXTENSION OF TIME TO
VOLUNTARILY DISMISS OR TAKE
OTHER ACTION IN THIS CASE (FIRST
REQUEST)**

17 Plaintiff Pricestack Inc. dba Preflect (“Preflect”) respectfully moves the Court
18 for an extension of time from November 21, 2022, to December 21, 2022, to file a
19 voluntary dismissal or take other action in this case.

20 Pursuant to a settlement agreement between the parties, on October 6,
21 2022, the Court entered a permanent injunction ordering the Defendants to, among
22 other things, “withdraw or seek reversal of . . . any merchant disputes or receiving
23 any refunds for payments made to Preflect for or relating to any charges made on
24 Defendants’ payment cards” (ECF No. 29.) On the same day, the Court
25 granted the parties’ stipulation providing that the Plaintiffs would voluntarily dismiss
26 this action after receipt of a settlement payment from the Defendants (which was
27 due on or before November 15, 2022) or take other action in this case on or before
28 November 21, 2022. (ECF No. 28.)

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As of November 21, 2022, Plaintiffs have not received the settlement payment from the Defendants. In addition, Plaintiffs are in the process of determining whether Defendants complied with the permanent injunction by withdrawing or seeking reversal of all merchant disputes at issue in this case.

Accordingly, Plaintiffs respectfully request that the Court continue the deadline for the Plaintiffs to voluntarily dismiss this case or take other action by thirty (30) days to December 21, 2022.

Dated this 21st day of November, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

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IT IS SO ORDERED:

Dated: November 22, 2022



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE