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 5 ALLIED COLLECTION SERVICES, INC.

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

11 DEREK LAND,

12 Plaintiff,

13 vs.

14 ALLIED COLLECTION SERVICES, INC.;
 15 EXPERIAN INFORMATION SOLUTIONS,
 INC.' EQUIFAX INFORMATION
 16 SERVICES, LLC; and TRANS UNION LLC,

17 Defendant.

CASE NO. 2:22-cv-01641-APG-EJY

**JOINT MOTION FOR EXTENSION OF
 TIME TO FILE OPPOSITION TO
 PLAINTIFF'S ATTORNEY FEE MOTION
 (FOURTH REQUEST)**

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1 Defendant Allied Collection Services, Inc. (“Defendant”) pursuant to LR IA 6-1, with
2 the stipulated consent of, Plaintiff Derek Land (“Plaintiff”), respectfully move the Court for an
3 Order Extending Time for Defendant to file its Opposition to Plaintiff’s Motion for Attorney
4 Fees [Dkt. # 72]. This is Defendant’s fourth request for an extension of time relative to
5 Plaintiff’s Motion. Defendant further states the following in support of this request:

- 6 1) On August 19, 2024, the Court entered an Order setting the deadline for plaintiff to file
7 his motion for attorney’s fees and costs as September 11, 2024.
- 8 2) That same day, the court set Defendant’s deadline to file its opposition as October 9,
9 2024.
- 10 3) On September 11, 2024, Plaintiff filed his Motion for Attorney’s Fees. [Dkt. 72.]
- 11 4) At the time of the August 19, 2024 hearing, Defense Counsel failed to identify that its
12 opposition deadline fell in the middle of a preplanned family vacation.
- 13 5) On October 3, 2024, Defense Counsel reached out to Plaintiff’s Counsel regarding the
14 instant Joint Motion to Extend Time and requested until October 18 to file its
15 Opposition.
- 16 6) On October 4, 2024, Plaintiff’s Counsel responded that it did not object to Defendant’s
17 Opposition deadline being extended to October 18.
- 18 7) On October 4, 2024, Defendant filed its first request for an extension of time to file it’s
19 opposition to Plaintiff’s Motion for Attorney’s Fees. [Dkt. #73.]
- 20 8) On October 7, 2024, the Court Granted the Joint Motion. [Dkt. #74.]
- 21 9) Since the first request, Defense Counsel’s father-in-law has been hospitalized, again.
22 He is elderly, and diabetic. Family have been flying back to be with him.
- 23 10) This has resulted in childcare obligations falling solely on Defense Counsel.
- 24 11) On October 16, Defense Counsel notified Plaintiff’s Counsel of same and requested a
25 second extension of time to file the opposition to Plaintiff’s Motion for Attorney’s Fees
26 to October 25.
- 27 12) On October 17, Plaintiff’s Counsel advised it had no opposition to this second request.
- 28 13) On October 17, 2024, Defendant filed the Joint Motion to Extend Time seeking a

- 1 second one week extension. [Dkt. 75]
- 2 14) On October 18, 2024, the Court granted the extension. [Dkt. 76]
- 3 15) While defense counsel was working on the Opposition, certain new life events
- 4 transpired:
- 5 a) On October 23, 2024, Defense Counsel was in the fourth day of an all-day
- 6 “speedy motion hearing” on a personal legal matter, which did not come to
- 7 conclusion and is being set for a fifth session. Defense Counsel and his private
- 8 counsel are preparing for that fifth session now.
- 9 b) Also, on October 23, 2024, Defense Counsel learned from family that his 81-
- 10 year-old mother’s dementia has rapidly progressed over the past few weeks and
- 11 she is now wheelchair bound and losing other essential motor skills like use of a
- 12 knife and fork.
- 13 c) Defense Counsel’s 82-year-old father and sister have decided to seek full time
- 14 assistance and/or placement in nursing home because her only caretaker,
- 15 Counsel’s father, is undergoing a biopsy for a tumor on his spleen and then
- 16 shortly thereafter an MRI to see what can be done for his 4 fractured vertebrae.
- 17 16) Defense Counsel notified Plaintiff’s counsel of these issues on October 24, 2024.
- 18 Counsel requested 4 weeks, which would get counsel past all of the immediate legal and
- 19 medical issues, or whatever extension Plaintiff’s Counsel would be agreeable with.
- 20 17) Unfortunately, counsel were both out of the office and unable to immediately respond to
- 21 this request.
- 22 18) On October 24, 2024 just before 11:00 am, Plaintiff’s Counsel Tarek Chami was able to
- 23 discuss the present Motion to Defense Counsel and indicate that Plaintiff has no opposition
- 24 to Defendant’s request.
- 25 19) On October 24, 2024, Defendant filed the Joint Motion to Extend Time seeking a four-
- 26 week extension. [Dkt. 77]
- 27 20) On October 25, 2024, the Court granted the extension. [Dkt. 78]
- 28 21) On November 21, 2024, Defense Counsel notified Plaintiff’s counsel that his mother

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1 entered hospice care on November 19, 2024, necessitating his immediate departure to be
2 with his family in Las Vegas, Nevada. In response, Plaintiff's counsel stated via email that
3 they have no objection to an additional four-week extension of time for Defense Counsel to
4 file an opposition to Plaintiff's Motion and a continuance of the trial date currently set for
5 December 2, 2024, provided that the matter is transferred to Craig Smith, Esq., and Tomiko
6 Ortiz, Esq., to ensure no further delays.

7 For the reasons stated and for good cause shown, Defendant respectfully requests entry
8 of an Order allowing Defendant to file its opposition to Plaintiff's Motion for Attorney's Fees
9 and Costs on or before December 20, 2024.

10 Dated: November 22, 2024


GORDON REES SCULLY MANSUKHANI

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12 By: s/ Sean P. Flynn
Sean P. Flynn (SBN 15408)
Attorneys for Defendant
ALLIED COLLECTION SERVICES,
13 INC.

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15 CONSUMER ATTORNEYS
16 By: s/ Tarek N. Chami
Tarek Chami (SBN P76407)
Attorneys for Plaintiff
DEREK LAND

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19 Dated: November 22, 2024

IT IS SO ORDERED.

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22 ELAYNA J. YOUCHAH
U.S. MAGISTRATE JUDGE

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