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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

STEVEN A. KEGEL,

Plaintiff,

vs.

BROWN & WILLIAMSON TOBACCO
CORPORATION; R.J. REYNOLDS
TOBACCO CO.; *et al.*,

Defendants.

Case No.: 3:06-cv-00093-BES (VPC)

**STIPULATION TO EXTEND TIME FOR
PLAINTIFF TO FILE HIS OPPOSITION
TO DEFENDANTS' MOTION TO
DISMISS PLAINTIFF'S TENTH CLAIM
FOR RELIEF AND TO REPLY TO
DEFENDANT'S POINT AND
AUTHORITIES IN OPPOSITION TO
MOTION FOR RECONSIDERATION
[FIRST REQUEST] ; ORDER**

Pursuant to Local Rules 6-1 and 7-1, Plaintiff Steven Kegel and Defendants Brown & Williamson Tobacco Corporation, Brown & Williamson Tobacco Corporation Short Term Disability Plan For Salaried Employees; Brown & Williamson Tobacco Corporation Welfare & Fringe Benefit Plan; Retirement Plan For Salaried Employees Of Brown & Williamson Tobacco Corporation and Certain Affiliates; R.J. Reynolds Tobacco Company; Brown & Williamson Tobacco Corporation/Reynolds American Inc. Special Severance Benefits; and RAI Employee Benefits Committee hereby **STIPULATE** and **AGREE** to an additional amount of time for Plaintiff Steven Kegel to file his Opposition to Defendants' Motion to Dismiss

1 Plaintiff's Tenth Claim for Relief and to file his Reply to Defendants' Point and Authorities in
2 Opposition to Motion for Reconsideration to and including May 18, 2009.

3 Although Plaintiff's counsel have been arduously working on the Opposition and Reply,
4 due to the complexity of the issues and Plaintiff's counsels' calendars, they are unable to
5 complete the Opposition and Reply by the current deadline.

6 Plaintiff's counsel, Sean P. Rose, Esq., is also counsel of record for the Plaintiffs' in a
7 case pending in the Second Judicial District Court of the State of Nevada entitled *Rose v. Hald*,
8 Case No. CV04-01886. The trial of the *Rose* matter is currently scheduled to begin on June
9 15, 2009. As a consequence, Mr. Rose has been inundated preparing motions in limine and
10 oppositions to Defendant's numerous motions in limine and for that trial.

11 The parties state that the present Stipulation for Extension of Time is made in good
12 faith, not for purpose of delay, and there is good cause for the extension.

13 **ROSE LAW OFFICE**

MORRIS PICKERING & PETERSON

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By: 

SEAN P. ROSE, ESQ.
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By: /s/Suellen Fulstone (with permission)

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Attorney for Defendants
Brown & Williamson, et al./
R.J. Reynolds Tobacco
Company, et al.

IT IS SO ORDERED.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

DATED: May 4, 2009.