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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

BULLION MONARCH MINING INC.,
Plaintiff,
vs.
BARRICK GOLDSTRIKE MINES INC.,
Defendant.

Case No. 03:09-cv-612-ECR-VPC
(Sub File of 3:08-cv-227-ECR-VPC)

**JOINT AND STIPULATED
MOTION TO REVISE BRIEFING
SCHEDULE FOR GOLDSTRIKE’S
RENEWED MOTION TO
DISMISS FOR LACK OF
JURISDICTION**

Bullion Monarch Mining, Inc. (“Bullion”) and Barrick Goldstrike Mines Inc. (“Goldstrike”), by and through undersigned counsel, jointly move this Court for an order setting a revised briefing schedule on Goldstrike’s renewed Motion to Dismiss for Lack of Jurisdiction.

Goldstrike filed its original Motion to Dismiss for Lack of Jurisdiction (the Original Motion to Dismiss”) on September 8, 2017 [Doc. 260]. On September 29, 2017, Bullion filed a Motion for Jurisdictional Discovery [Doc. 263], which was fully briefed by October 20, 2017 [Docs. 265-266]. On October 30, 2017, this Court entered and Amended Order granting Bullion’s Motion for Jurisdictional Discovery regarding the Original Motion to Dismiss (the “October 30 Order”) [Doc. 266]. In that order, this Court dismissed Goldstrike’s Original Motion to Dismiss without prejudice, set a jurisdictional discovery deadline of January 29, 2018,¹ and requires Goldstrike to refile its motion to dismiss for lack of jurisdiction (the “Renewed Motion to Dismiss”) on January 30, 2018 (the first business day after the close of jurisdictional discovery).

¹ The October 30 Order allowed ninety (90) days for jurisdictional discovery, which expired January 28, 2018. Because this was a Sunday, the deadline on jurisdictional discovery moved to the next business day, January 29, 2018.

1 The October 30 Order requires Bullion to file its opposition to the Renewed Motion to
2 Dismiss fourteen (14) days after the Renewed Motion to Dismiss is filed, and requires Goldstrike
3 to file its final reply on the Renewed Motion to Dismiss seven (7) days after Bullion’s opposition
4 is filed. On January 11, 2018, upon the stipulation of the parties, the Court entered a Minute
5 Order extending the jurisdictional discovery deadline from January 29, 2018, to March 30, 2018
6 [Doc. 273]. Applying the briefing schedule set forth in the October 30 Order to this revised
7 jurisdictional discovery deadline, Goldstrike’s Renewed Motion to Dismiss is due Monday, April
8 2, 2018, Bullion’s opposition is due Monday, April 16, 2018, and Goldstrike’s reply is due
9 Monday, April 23, 2018.

10 Two of the three depositions allowed during the course of jurisdictional discovery,
11 including the 30(b)(6) deposition of Goldstrike involving four designees, were taken March 20-
12 21, 2018.² In order to give Goldstrike sufficient time to receive and review the transcripts from
13 these final depositions prior to the filing of its Renewed Motion to Dismiss, and to give Bullion
14 the opportunity to read and sign their deposition transcripts prior to the filing of Bullion’s
15 opposition, the parties hereby stipulate and agree that the briefing schedule for the Renewed
16 Motion to Dismiss established in the October 30 Order as applied to the March 30, 2018,
17 jurisdictional discovery deadline should be vacated and that a new briefing schedule should be
18 established as follows:

19 1. Goldstrike shall file its Renewed Motion to Dismiss fourteen (14) days after it
20 receives the last of the currently outstanding jurisdictional discovery deposition transcripts from
21 the court reporter;

22 2. Bullion shall file its opposition to the Renewed Motion to Dismiss twenty (21)
23 days after Goldstrike’s Renewed Motion to Dismiss is filed;

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26 ² The first jurisdictional deposition was taken on December 20, 2017. The parties cooperated in
27 scheduling the remaining jurisdictional depositions, including the depositions of Goldstrike’s four
28 30(b)(6) designees, but this was the soonest these depositions could be scheduled given the timing
of Goldstrike’s completed document production and the schedules of the various attorneys and
witnesses involved.

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3. Goldstrike shall file its reply to the Renewed Motion to Dismiss ten (10) days after Bullion's opposition is filed.

Dated: March 29, 2018

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Clayton P. Brust
(Signed with permission by filing counsel;
email granting permission on file)

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1 **ORDER**

2 Based on the foregoing, and for good cause shown, it is hereby ordered as follows:

3 1. The briefing schedule for the Renewed Motion to Dismiss set forth in this Court's
4 October 30, 2017, order granting jurisdictional discovery shall be and hereby is VACATED.

5 2. Goldstrike shall file its Renewed Motion to Dismiss fourteen (14) days after it
6 receives the last of the currently outstanding jurisdictional discovery deposition transcripts from
7 the court reporter;

8 3. Bullion shall file its opposition to the Renewed Motion to Dismiss twenty (21)
9 days after Goldstrike's Renewed Motion to Dismiss is filed;

10 4. Goldstrike shall file its reply to the Renewed Motion to Dismiss ten (10) days after
11 Bullion's opposition is filed.

12 The parties shall file a Joint Status Report by close of business on April 16, 2018, if the
13 "last of the currently outstanding jurisdictional discovery deposition transcripts" has not been
14 received by close of business on April 12, 2018. No report is necessary if all jurisdictional
15 discovery deposition transcripts have been received.
16

17 **IT IS SO ORDERED.**

18 DATED: March 29, 2018.

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22 UNITED STATES MAGISTRATE JUDGE