

1 Robert C. Ryan (#7164)
Timothy A. Lukas (#4678)
2 HOLLAND & HART LLP
5441 Kietzke Lane, Second Floor
3 Reno, Nevada 89511
Phone: (775) 327-3042
4 Fax: (775) 786-6179
rcryan@hollandhart.com
5 tlukas@hollandhart.com

6 Christopher B. Hadley
(Admitted *pro hac vice*)
7 JONES, WALDO, HOLBROOK & McDONOUGH, PC
1441 West Ute Blvd., Suite 330
8 Park City, Utah 84098
Telephone: (435) 200-0087
9 Facsimile: (435) 200-0084
chadley@joneswaldo.com

10 *Attorneys for Plaintiff and Counter Defendants*

11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 CHEMEON SURFACE TECHNOLOGY, LLC, a
Nevada limited liability company,

15 Plaintiff,

16 v.

17 METALAST INTERNATIONAL, INC., a Nevada
18 corporation; METALAST, INC., a Nevada
corporation; SIERRA DORADO, INC., a Nevada
19 corporation; DAVID M. SEMAS, an individual;
GREG D. SEMAS, an individual; and WENDI
20 SEMAS-FAURIA, an individual.

21 Defendants.

22 DAVID M. SEMAS; and METALAST
23 INTERNATIONAL, INC.,

24 Counterclaimants,

25 v.

26 CHEMEON SURFACE TECHNOLOGY, LLC,
DEAN S. MEILING; and MADYLON
27 MEILING,

28 Counter Defendants.

Case No.: 3:15-cv-00294-MMD-CLB

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE
OPPOSITION TO DEFENDANT'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT AND EXTENSION TO FILE
REPLY IN SUPPORT OF MOTION**

[FIRST REQUEST]

HOLLAND & HART LLP
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511
Phone: (775) 327-3000 ♦ Fax: (775) 786-6179

1 Plaintiff and Counter Defendants, by and through their undersigned counsel, Timothy A.
2 Lukas of Holland & Hart, LLP; and Defendant and Counterclaimant, by and through his undersigned
3 counsel, Michael D. Hoy of Hoy Chrissinger Kimmel Vallas, PC, stipulate and agree as follows:

4 1. On December 4, 2019, Defendant and Counterclaimant David M. Semas filed his
5 Motion for Partial Summary Judgment on the Pleadings Re: Sixth Claim for Relief (Copyright
6 Infringement) (the "Motion") (ECF No. 540).

7 2. Pursuant to Minutes of Proceeding dated October 31, 2019 (ECF 536), Plaintiff and
8 Counter Defendants' opposition to the Motion is due on December 30, 2019, and the reply is due
9 on January 9, 2020.

10 3. The parties hereby stipulate to extend the deadline for Plaintiff and Counter
11 Defendants to file their opposition to the Motion until Friday, January 10, 2020. Based on the
12 unavailability of some of Plaintiff and Counter Defendants key personnel and counsel to address
13 the issues raised in the Motion. Plaintiff and Counter Defendants' counsel requested an additional
14 eleven days to file their response to the Motion and Defendant Counterclaimant's counsel agreed to
15 the request. In fairness in preparing their reply, Plaintiff and Counter Defendants agree that
16 Defendant and Counterclaimant's time to file a reply be extended to January 20, 2020.

17
18 ///

19
20
21
22 ///

23
24
25 ///

26
27
28 ///

HOLLAND & HART LLP
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511
Phone: (775) 327-3000 ♦ Fax: (775) 786-6179

1 4. Pursuant to LR 6-1, this first request for an extension is made with good cause and
2 in good faith and not for purposes of delay. This is the Parties' first request for an extension of time
3 to file a response to the Motion. Counsel do not believe that the extension requested would cause
4 any undue delay in this case.

5 IT IS SO STIPULATED.

6 DATED this 23rd day of December, 2019.

DATED this 23rd day of December, 2019.

7 HOLLAND & HART LLP

HOY CHRISSINGER KIMMEL PC

8 /s/ Timothy A. Lukas
9 Robert C. Ryan (7164)
10 Timothy A. Lukas (#4678)
11 5441 Kietzke Lane, Second Floor
12 Reno, Nevada 89511

/s/ Michael D. Hoy
Michael D. Hoy (2723)
Bank of America Tower
50 West Liberty Street, Suite 840
Reno, Nevada 89501

11 *Attorneys for Chemeon Surface Technology
12 and Dean S. Meiling and Madylon Meiling*

*Attorneys for Defendants and
Counterclaimants*

13 **IT IS SO ORDERED.**
14 *[Signature]*

15 United States Magistrate Judge

16 DATED: 12/30/2019
17
18
19
20
21
22
23
24
25
26
27
28

HOLLAND & HART LLP
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511
Phone: (775) 327-3000 ♦ Fax: (775) 786-6179

PROOF OF SERVICE

Pursuant to FRCP 5, I declare, as follows:

I am employed in the City of Reno, County of Washoe, State of Nevada, by the law offices of Holland & Hart. My business address is 5441 Kietzke Lane, Second Floor, Reno, Nevada 89511. I am over the age of 18 years and not a party to this action.

I am readily familiar with Holland & Hart's practice for collection and processing of: HAND DELIVERIES, FACSIMILES and OUTGOING MAIL. Such practice in the ordinary course of business provides for the delivery or faxing and/or mailing with the United States Postal Service, to occur on the same day the document is collected and processed.

On December 23, 2019, I served the foregoing **STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE OPPOSITION TO DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND EXTENSION TO FILE REPLY IN SUPPORT OF MOTION [FIRST REQUEST]** as follows:

ELECTRONIC: by electronic transmission through the United States District Court's CM/ECF system to the parties below:

Michael D. Hoy
HOY CHRISSINGER KIMMEL
Bank of America Tower
50 West Liberty Street, Suite 840
Reno, Nevada 89501
Telephone: (775) 786-8000
Facsimile: (775) 786-7426
mhoy@nevadalaw.com

Attorneys for Defendants

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on December 23, 2019.

/s/ Audrey Brown

13989362_v1

HOLLAND & HART LLP
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511
Phone: (775) 327-3000 ♦ Fax: (775) 786-6179

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28