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5
 6 **IN UNITED STATES DISTRICT COURT**
 7 **FOR THE DISTRICT OF NEVADA**
 8

9 JOHN MILLER,

Case No.: 3:17-CV-00121-MMD-WGC

10 Plaintiff(s),

**STIPULATION AND [PROPOSED] ORDER
 FOR EXTENSION OF TIME TO FILE
 THIRD AMENDED COMPLAINT**

11 vs.

12 UNITED STATES OF AMERICA, and
 DOES 1-25

(SECOND REQUEST)

(EXPEDITED REVIEW REQUESTED)

13 Defendant(s).
 14 _____


15 COME NOW Plaintiff, John Miller, and Defendant, United States of America, and hereby stipulat
 16 and agree that Plaintiff may have a sixty (60) day extension to file his Third Amended Complaint
 17 Plaintiff's Third Amended Complaint filing deadline is July 16, 2021. The parties stipulate that extension
 18 is needed because the parties are currently involved in settlement discussions which may obviate the need
 19 to file the Third Amended Complaint. The stipulated extension would give Plaintiff up to and including
 20 September 14, 2021, to file his Third Amended Complaint.

21 Under the circumstances, good cause exists for an extension of time to allow Plaintiff and
 22 Defendant to continue their settlement discussions to possibly resolve the case without Plaintiff filing
 23 Third Amended Complaint. See Fed R.Civ. P. 6(b)(1)(A) ("When an act may or must be done within
 24 specified time, the court may, *for good cause*, extend the time...with or without motion or notice of motion
 25 if the court acts, or if a request is made, before the original time or its extension expires[.]") (Emphasi
 26 added).

27 This is Plaintiff's second request for an extension of time to file his Third Amended Complaint. See
 28 LR IA 6-1(a). Plaintiff avers that this extension request is made in good faith and not for the purpose of


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1 delay. (*Id.* ¶ 10).
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3 Respectfully submitted,
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5 Dated: July 13, 2021
6 ALLING & JILLSON, LTD.
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8 By: 
9 SCOTT W. SOUERS, Esq.
Attorneys for Plaintiff
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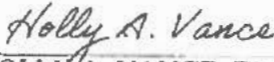
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5 Dated: July 13, 2021
6 ALLING & JILLSON, LTD.

7
8 By: 
9 SCOTT W. SOUERS, Esq.
Attorneys for Plaintiff

Dated: July 13, 2021

CHRISTOPHER CHIOU
Acting United States Attorney

By: 
HOLLY A. VANCE, Esq.
Assistant United States Attorney
Attorney for the United States of America

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ORDER

15 IT IS HEREBY ORDERED the Parties' stipulation for extension of Plaintiff's time to file a Third
16 Amended Complaint is approved and Plaintiff John Miller shall have up to and including September 14,
17 2021, to file his Third Amended Complaint.

18 DATED: 7/15/2021

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U.S. DISTRICT JUDGE