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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

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**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

8 AUSTYN D. CRITES, an individual,  
 9 Plaintiff,

Case No. 3:17-cv-00489-MMD-CBC

10 vs.

**MOTION-UNOPPOSED  
 REGARDING MEET AND CONFER  
 PURSUANT TO MINUTE ORDER  
 ECF 98**

11 FOX NEWS NETWORK, LLC, a  
 12 Delaware limited liability company,  
 13 Defendant.

14  
 15  
 16 Plaintiff Austyn D. Crites submits this Motion-Unopposed Regarding the Meet  
 17 and Confer to be held pursuant to the Court's instructions given during the case management  
 18 conference on January 29, 2019.

19 A settlement conference was scheduled before Magistrate Judge Robert McQuaid on  
 20 February 26, 2019. Due to severe weather conditions on February 25, 2019, the flight of the  
 21 representative of Fox News Network, LLC ("Fox") and Defendant's counsel, Dori Hanswirth,  
 22 was diverted to Sacramento, California. The flight was ultimately cancelled. The Fox  
 23 representative and Ms. Hanswirth were unable to make alternate travel arrangements to Reno on  
 24 February 25 and 26, requiring that the settlement conference be postponed.

25 The conference with Judge McQuaid has been re-scheduled for April 30, 2019. ECF 101.  
 26 The case management conference set for April 29, 2019, has been re-scheduled for May 10, 2019.  
 27 ECF 102.

1           During the case management conference on January 28, 2019, the Court instructed the  
2 parties to meet and confer by March 12, 2019, concerning additional search terms to be submitted  
3 to Holo Discovery. The Court instructed Plaintiff's counsel to submit the contested search terms  
4 to Holo Discovery to determine the volume of hits. This was to be followed by another meet and  
5 confer on or before April 12, 2019.

6           Considering that the foregoing described discovery efforts were conditioned the parties'  
7 failure to settle the case during the settlement conference and that settlement of the action will  
8 spare the parties the expense and effort of these discovery efforts, it is sensible that these efforts  
9 be deferred pending the outcome of the settlement conference on April 30, 2019.

10           For these reasons, Plaintiff requests that the meet and confer to be conducted by March  
11 12, 2019, be postponed to a date on or after April 30, 2019, but before the case management  
12 conference set for May 10, 2019.

13           Plaintiff's counsel represents to the Court that the Plaintiff's counsel has conferred with  
14 Defendant's counsel regarding this matter and the request stated in this Motion. Plaintiff's  
15 counsel represents to the Court that the Defendant's counsel informed Plaintiff's counsel that  
16 Defendant has no objection to the request and that deferral of the meet and confer under these  
17 circumstances is acceptable to Defendant. Defendant's counsel authorized Plaintiff's counsel to  
18 represent to the Court the substance of the parties' communications as described in this Motion.

19           Plaintiff requests that the Court consider the request in this Motion and that the Court  
20 enter an appropriate minute order approving this Motion.

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Dated March 6, 2019.

ERWIN THOMPSON FAILLERS

By 

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IT IS SO ORDERED:

  
United States Magistrate Judge

Dated March 7, 2019