

1 Chad R. Fears (Nevada Bar No.: 6970)
EVANS FEARS & SCHUTTERT LLP
 2 2300 W. Sahara Avenue, Suite 900
 Las Vegas, Nevada 89102
 3 Telephone: (702) 805-0290
 Facsimile: (702) 805-0291
 4 Email: cfears@efstrialaw.com

5 Jonathan K. Waldrop (pro hac vice)
 Darcy L. Jones (pro hac vice)
 6 Marcus A. Barber (pro hac vice)
 Jack Shaw (pro hac vice)
 7 Heather S. Kim (pro hac vice)
KASOWITZ BENSON TORRES LLP
 8 333 Twin Dolphin Drive, Suite 200
 Redwood Shores, California 94065
 9 Telephone: (650) 453-5170
 Facsimile: (650) 453-5171
 10 Email: jwaldrop@kasowitz.com
 Email: djones@kasowitz.com
 11 Email: mbarber@kasowitz.com
 Email: jshaw@kasowitz.com
 12 Email: hkim@kasowitz.com

13 *Attorneys for Defendant*
Zmodo Technology Corporation Limited
 14 *Additional counsel on signature page*

15 **UNITED STATES DISTRICT COURT**
 16 **DISTRICT OF NEVADA**

17 EYETALK365, LLC,
 Plaintiff,
 18 v.
 19 ZMODO TECHNOLOGY CORPORATION
 LIMITED,
 20 Defendant.

Case No. 3:17-cv-00686-RCJ-PAL

and related case

21 EYETALK365, LLC,
 Plaintiff,
 22 v.
 23 ZMODO TECHNOLOGY CORPORATION
 LIMITED,
 24 Defendant.
 25
 26
 27

Case No. 2:17-cv-02714-RCJ-PAL

**DEFENDANT ZMODO TECHNOLOGY
 CORPORATION LIMITED’S MOTION
 TO EXTEND TIME TO FILE
 RESPONSE TO PLAINTIFF’S MOTION
 TO DISQUALIFY
 (FIRST REQUEST)**

1 Defendant Zmodo Technology Corporation Limited (“Zmodo”), pursuant to LR IA 6-1,
2 hereby requests a two-day extension to file its Response to Plaintiff’s Motion to Disqualify filed
3 on July 25, 2018 (ECF No. 67 in Case No. 3:17-cv-00686-RCJ-PAL; ECF No. 159 in Case No.
4 2:17-cv-02714-RCJ-PAL) – moving the deadline for Zmodo’s Response from August 8, 2018 to
5 August 10, 2018. This is Zmodo’s first request for an extension of time to file its Response.

6 Plaintiff’s Motion to Disqualify raises various allegations against Zmodo’s counsel
7 Kasowitz Benson Torres LLP (“Kasowitz”) regarding purported disqualifying conflict of interest,
8 to which Kasowitz’s attorneys, including the firm’s senior attorneys, require additional time to
9 review thoroughly based on the information known to date, and to respond accordingly. Given
10 the seriousness and implications of Plaintiff’s Motion to Disqualify, Zmodo would be severely
11 prejudiced if its counsel is not afforded the requested time extension. On the other hand, a short
12 two-day extension does not harm or prejudice Plaintiff and, in fact, Zmodo would agree to a similar
13 time extension for Plaintiff’s Reply brief should Plaintiff need additional time. This short time
14 extension will not impact the hearing on the Motion to Disqualify currently set for August 28,
15 2018.

16 Further, as set forth in the attached Declaration of Jack Shaw, Esq., Zmodo made efforts to
17 secure a time extension for Zmodo’s Response, but Plaintiff’s counsel did not respond to voice
18 messages or emails as of the time of filing the instant motion to extend time.

19 Based on the foregoing, good cause exists to extend the deadline for Zmodo to submit its
20 Response to Plaintiff’s Motion to Disqualify from August 8, 2018 to August 10, 2018.

21 Dated: August 7, 2018.

22 EVANS FEARS & SCHUTTERT LLP

23 By: /s/ Chad R. Fears
24 Chad R. Fears (Nevada Bar No.: 6970)
25 **EVANS FEARS & SCHUTTERT LLP**
26 2300 W. Sahara Avenue, #900
27 Las Vegas, Nevada 89102
Telephone: (702) 805-0290
Facsimile: (702) 805-0291
Email: cfears@efstriallaw.com

Jonathan K. Waldrop (pro hac vice)
Darcy L. Jones (pro hac vice)
Marcus A. Barber (pro hac vice)
Jack Shaw (pro hac vice)
Heather S. Kim (pro hac vice)
KASOWITZ BENSON TORRES LLP
333 Twin Dolphin Drive, Suite 200
Redwood Shores, California 94065
Telephone: (650) 453-5170
Facsimile: (650) 453-5171
Email: jwaldrop@kasowitz.com
Email: djones@kasowitz.com
Email: mbarber@kasowitz.com
Email: jshaw@kasowitz.com
Email: hkim@kasowitz.com

Rodney R. Miller (pro hac vice)
Nicole Holtzapple (pro hac vice)
KASOWITZ BENSON TORRES LLP
Two Midtown Plaza, Suite 1500
1349 W. Peachtree Street, N.W.
Atlanta, Georgia 30309
Telephone: (404) 260-6080
Facsimile: (404) 260-6081
Email: rmiller@kasowitz.com
Email: nholtzapple@kasowitz.com

Daniel C. Miller (pro hac vice)
KASOWITZ BENSON TORRES LLP
1399 New York Avenue NW, Suite 201
Washington, DC 20005
Telephone: (202) 760-3400
Facsimile: (202) 760-3401
Email: dcmiller@kasowitz.com

Attorneys for Defendant
Zmodo Technology Corporation Limited

IT IS SO ORDERED.


UNITED STATES DISTRICT COURT JUDGE/
UNITED STATES MAGISTRATE JUDGE

DATED: August 14, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically served on counsel of record this 7th day of August, 2018, using the Court's CM/ECF system.

/s/ Faith Radford
An Employee of Evans Fears & Schuttert LLP

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