

1 L. Edward Humphrey, Esq. (Nevada Bar No. 9066)  
2 **HUMPHREY LAW PLLC**  
3 140 Washington Street, Suite 210  
4 Reno, Nevada 89503  
5 Tel: 775.420.3500  
6 Fax: 775.683-9917  
7 ed@hlawnv.com

8 Wayne F. Dennison (admitted *pro hac vice*)  
9 **BROWN RUDNICK LLP**  
10 One Financial Center  
11 Boston, MA 02111  
12 Tel: 617.856.8200  
13 Fax: 617.289.0438  
14 wdennison@brownrudnick.com

15 *Attorneys for Boston Heart Diagnostics*  
16 *Corporation*

17 **UNITED STATES DISTRICT COURT**  
18 **DISTRICT OF NEVADA**

19 BOSTON HEART DIAGNOSTICS  
20 CORPORATION,

21 Plaintiff,  
22 vs.  
23 MD LABS, INC.

24 Defendant.

25 Case No.: 3:18-cv-00006

26 **STIPULATION TO EXTEND DEADLINE  
27 FOR PLAINTIFF TO FILE RESPONSE  
TO DEFENDANT'S MOTION TO  
DISMISS  
(FIRST REQUEST)**

28 Pursuant to LR 6-1 and LR 26-4, undersigned Plaintiff and Defendant hereby submit  
the following stipulation and proposed order extending the deadline for Plaintiff Boston Heart  
Diagnostics Corporation (“Plaintiff”) to file a Response to *Defendant’s Motion to Dismiss*  
*Under Fed. R. Civ. P. 12(b)(6) and Memorandum in Support*, filed February 20, 2018. *See ECF*  
No. 24 (“Motion to Dismiss”). Pursuant to this Stipulation, Defendant’s counsel has agreed

1 that Plaintiff shall have up to and including March 13, 2018 to file its Response.

2 The following is stated in support of this Stipulation:

3 1. On February 20, 2018, Defendant filed *Defendant's Motion to Dismiss Under Fed.*  
4 *R. Civ. P. 12(b)(6) and Memorandum in Support*. See ECF No. 24 (the “Motion to  
5 Dismiss”).

6 2. The current deadline for Plaintiff to file a response to the Motion to Dismiss is  
7 March 6, 2018.

8 3. Before filing this Stipulation, counsel for Plaintiff contacted counsel for Defendant  
9 by e-mail on March 5, 2018 and requested a short extension until March 13, 2018  
10 to file the Response to the Motion to Dismiss. Defendant’s counsel agreed to this  
11 requested extension.

12 4. Based on the above, the undersigned Parties have agreed the deadline for  
13 Plaintiff’s Response to Defendant’s Motion to Dismiss may be extended until  
14 March 13, 2018.

15 5. No schedule has been set in this matter, and therefore this extension will not  
16 interfere with any scheduled dates.

17 Undersigned counsel for Plaintiff respectfully submits good cause exists and requests  
18 the Court grant the requested extension.

19 WHEREFORE, Plaintiff and Defendant request entry of an Order granting an  
20 extension for Plaintiff to file its Response to Defendant’s Motion to Dismiss until and  
21 including March 13, 2018.

22           ///

1 DATED: July 6, 2016

2 **HUMPHREY LAW PLLC**

3

4 By: /s/ L. Edward Humphrey

5 L. Edward Humphrey, Esq.  
140 WASHINGTON STREET, SUITE 210  
6 RENO, NEVADA 89503  
7 Tel: 775.420.3500  
Fax: 775.683.9917  
ed@hlawnv.com

8 -And-

9 Wayne F. Dennison (BBO #558879)  
10 (admitted *pro hac vice*)  
11 **BROWN RUDNICK LLP**  
12 One Financial Center  
Boston, MA 02111  
13 Telephone: 617.856.8200  
Facsimile: 617.289.0438  
14 E-mail: wdennison@brownrudnick.com

15 *Attorneys for Boston Heart*  
16 *Diagnostics Corporation*

1 **PERKINS COIE LLP**

2 By: /s/ Daniel T. Shvodian

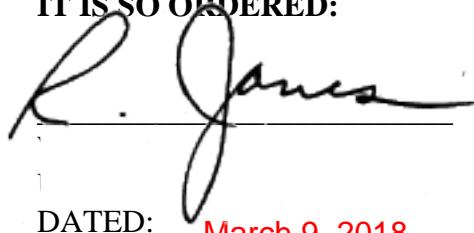
3 Daniel T. Shvodian, Esq.  
3150 Porter Drive  
4 PALO ALTO, CA 94304  
5 Tel: 650.838.4413  
Fax: 650.838.4350  
6 DShvodian@perkinscoie.com

7 -And-

8 Robert W. DeLong  
9 Parsons Behle & Latimer  
50 W. Liberty Street  
10 Suite 750  
11 Reno, NV 89501  
12 775-323-1601  
13 Fax: 775-348-7250  
14 Email: rdelong@parsonsbehle.com

15 *Attorneys for MD Labs, Inc.*

16 IT IS SO ORDERED:

17   
18

19 DATED: March 9, 2018

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b) and 5(d), I certify under penalty of perjury that I am an attorney at Humphrey Law PLLC, 140 Washington Street, Suite 210, Reno, Nevada 89503, and that on March 6, 2018, I served the foregoing documents described below:

- **STIPULATION TO EXTEND DEADLINE FOR PLAINTIFF TO FILE RESPONSE TO DEFENDANT'S MOTION TO DISMISS**, filed March 6, 2018.

I served the above-named document(s) by the following means to the persons as listed below:

**ECF System**, to all those persons registered with the Court's CM/ECF system in this case.

**United States mail, First-Class, postage fully prepaid**, deposited for mailing at Reno, Nevada, upon all those persons listed below:

Daniel T Shvodian  
Perkins Coie LLP  
3150 Porter Drive  
Palo Alto, CA 94340-1212

Robert W. Delong  
Parsons Behle & Latimer  
50 W. Liberty Street, Suite 750  
Reno, NV 89501

I declare under penalty of perjury that the foregoing is true and correct.

DATED: March 6, 2018.

## HUMPHREY LAW PLLC

By: /s/ *Caroline Carter*  
Caroline Carter, Paralegal

62974405 v1  
62974405 v2