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13 *Attorneys for Boston Heart Diagnostics*
14 *Corporation*

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

17 BOSTON HEART DIAGNOSTICS
18 CORPORATION,

19 Plaintiff,

20 vs.

21 MD LABS, INC.

22 Defendant.

Case No.: 3:18-cv-00006

**STIPULATION TO EXTEND DEADLINE
FOR PLAINTIFF TO FILE RESPONSE
TO DEFENDANT’S MOTION TO
DISMISS**

(FIRST REQUEST)

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

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
- 7 2. The current deadline for Plaintiff to file a response to the Motion to Dismiss is
8 March 6, 2018.
- 9 3. Before filing this Stipulation, counsel for Plaintiff contacted counsel for Defendant
10 by e-mail on March 5, 2018 and requested a short extension until March 13, 2018
11 to file the Response to the Motion to Dismiss. Defendant's counsel agreed to this
12 requested extension.
13
- 14 4. Based on the above, the undersigned Parties have agreed the deadline for
15 Plaintiff's Response to Defendant's Motion to Dismiss may be extended until
16 March 13, 2018.
17
- 18 5. No schedule has been set in this matter, and therefore this extension will not
19 interfere with any scheduled dates.

20 Undersigned counsel for Plaintiff respectfully submits good cause exists and requests
21 the Court grant the requested extension.
22

23 WHEREFORE, Plaintiff and Defendant request entry of an Order granting an
24 extension for Plaintiff to file its Response to Defendant's Motion to Dismiss until and
25 including March 13, 2018.
26

27 ///
28

1 DATED: July 6, 2016

2 **HUMPHREY LAW PLLC**

PERKINS COIE LLP

3
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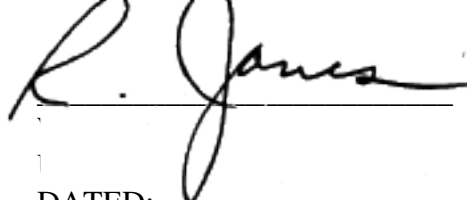
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*Attorneys for Boston Heart
Diagnostics Corporation*

Attorneys for MD Labs, Inc.

21 **IT IS SO ORDERED:**

22 
23
24

25 DATED: — **March 9, 2018**

1 **CERTIFICATE OF SERVICE**

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

- 5
6 • **STIPULATION TO EXTEND DEADLINE FOR PLAINTIFF TO FILE
RESPONSE TO DEFENDANT’S MOTION TO DISMISS**, filed March 6, 2018.

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

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

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

13
14 Daniel T Shvodian
15 Perkins Coie LLP
16 3150 Porter Drive
Palo Alto, CA 94340-1212

17 Robert W. Delong
18 Parsons Behle & Latimer
19 50 W. Liberty Street, Suite 750
Reno, NV 89501

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

21 DATED: March 6, 2018.

22 **HUMPHREY LAW PLLC**

23
24 By: /s/ Caroline Carter
25 Caroline Carter, Paralegal