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7 *Attorneys for Plaintiffs Daniel Harrington,*  
*Pamella Harrington, and Nightwatch*  
 8 *Marine, LLC in Case No. 3:18-cv-00028*

9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 DANIEL HARRINGTON, an individual;  
 12 PAMELLA HARRINGTON, an individual;  
 and NIGHTWATCH MARINE, LLC, a  
 13 Nevada limited liability company,

14 Plaintiffs,

15 vs.

16 DAVID TACKETT, an individual,

17 Defendant.

18 NO. 8 MINE, LLC,

19 Plaintiff,

20 vs.

21 THE ELJEN GROUP, LLC, ELVEN E.  
 JENNINGS, JACK ELKINS, FRANK LENTE,  
 22 and STEVEN HARPER,

23 Defendants.

24 AND RELATED CROSS ACTIONS

Case No.: 3:18-cv-00028-WGC

Case No.: 3:18-cv-00104-WGC

**STIPULATION AND ORDER TO EXTEND**  
**TIME TO FILE RESPONSE TO MOTION**  
**TO CONSOLIDATE CASE NO.**  
**3:18-CV-00028-WGC AND**  
**CASE NO. 3:18-CV-00104-WGC**

**FIRST REQUEST**

25 DANIEL HARRINGTON, PAMELLA HARRINGTON, and NIGHTWATCH MARINE,  
 26 LLC (collectively, the “Harringtons”), Plaintiffs in Case No. 3:18-cv-00028; DAVID TACKETT,  
 27 Defendant in Case No. 3:18-cv-00028 and Counterdefendant/Third-Party Defendant in Case No.  
 28 3:18-cv-00104; NO. 8 MINE, LLC, Plaintiff/Counterdefendant in Case No. 3:18-cv-00104; and

1 THE ELJEN GROUP, LLC, ELVEN E. JENNINGS, JACK ELKINS, FRANK LENTE, and  
2 STEVE HARPER, Defendants/Counterplaintiffs/Third-Party Plaintiffs in Case No. 3:18-cv-  
3 00104, by and through their respective attorneys of record, hereby submit this Stipulation to  
4 Extend Time to File Response to the Motion to Consolidate Case No. 3:18-cv-00028-WGC and  
5 Case No. 3:18-cv-00104-WGC.

6 The Motion to Consolidate [ECF 56 in Case No. 3:18-cv-00028 and ECF 81 in Case No.  
7 3:18-cv-00104] was filed on March 29, 2019 and pursuant to LR 7-2(b), the last day to file a  
8 response to the Motion is April 12, 2019. The parties stipulate that the Harringtons shall have to  
9 and including May 31, 2019 in which to file a response to the Motion to Consolidate. The parties  
10 to both cases are in the process of scheduling a global mediation in mid-May of 2019 in an  
11 attempt to resolve both cases. This extension is agreed to for the convenience of the parties and  
12 their counsel and not for any purpose of delay.

13 Dated this 12<sup>th</sup> day of April, 2019.

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16 /s/ Brian R. Irvine  
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24 /s/ Jeffrey B. Setness  
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26 *Attorneys for David Tackett and No. 8 Mine,*  
27 *LLC*

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/s/ Michael Carrico  
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Jennings, Jack Elkins, Franke Lente and Steve  
Harper*

**IT IS SO ORDERED.**

*William G. Cobb*  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

**DATED: April 15, 2019**