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6 **IN THE UNITED STATES DISTRICT COURT**
7 **IN AND FOR THE DISTRICT OF NEVADA**

9 SUSANA UPTON,

10 Plaintiff,

11 vs.

12 RESOLUTE CAPITAL PARTNERS
13 LTD.,

14 Defendant.

Case No.: 3:21-cv-00270-LRH-WGC

**STIPULATION AND ORDER TO
ALLOW PLAINTIFF TO FILE A
SECOND AMENDED COMPLAINT**

16 IT IS HEREBY STIPULATED by and between Plaintiff SUSANA UPTON (“Plaintiff”),
17 through her counsel, Mark Mausert, and Defendant RESOLUTE CAPITAL PARTNERS, LTD.
18 (“Defendant”), through its counsel Simons Hall & Johnston PC, as follows:

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- 20 1. Plaintiff’s First Amended Complaint was filed on July 16, 2021. Defendant filed its Motion
21 to Dismiss First Amended Complaint on August 23, 2021. Plaintiff filed her Opposition to
22 Defendant’s Motion to Dismiss on September 2, 2021. On September 2, 2021, the parties
23 were notified of the Defendant’s correct name, RCP-LTD, LLC.
 - 24 2. The parties agree that Plaintiff shall be permitted to file a Second Amended Complaint
25 within 7 days of this filing for the limited purpose of changing the name to the proper
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1 Defendant, RCP-LTD, LLC. Because the Plaintiff will only be changing the name of the
2 Defendant, the Parties agree that briefing should continue on the pending Motion to
3 Dismiss.

4 3. This Stipulation is made in good faith and not for the purpose of delay.
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6 DATED this 9th day of September, 2021.
7 LAW OFFICE OF MARK MAUSERT

8 /s/ Mark Mausert
9 Mark Mausert
10 729 Evans Avenue
11 Reno, Nevada 89512

12 *Attorney for Plaintiff*

DATED this 9th day of September, 2021.
SIMONS HALL & JOHNSTON PC

8 /s/ Jonathan McGuire
9 Anthony Hall
10 Jonathan McGuire
11 6490 S. McCarran Blvd., Suite F-46
12 Reno, Nevada 89509

Attorneys for Defendant

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16 **ORDER**

17 IT IS SO ORDERED:

18
19 William G. Cobb
20 UNITED STATES MAGISTRATE JUDGE

21 DATED: September 9, 2021
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