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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

14 RIGHTHAVEN LLC, a Nevada limited-
15 liability company,

16
17 Plaintiff,

18 v.

19 AZKAR CHOUDHRY, an individual; and
20 PAK.ORG, an entity of unknown origin and
nature,

21 Defendants.
22

Case No.: 2:10-cv-02155-JCM-PAL

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
DEFENDANT’S MOTION TO DISMISS
AND COUNTERCLAIM AND FOR STAY
OF DISCOVERY**

(FIRST REQUEST)

1 IT IS HEREBY STIPULATED BETWEEN Righthaven LLC (“Righthaven”), by and
2 through its counsel of record, and Mr. Azkar Choudhry and Pak.org (collectively the
3 “Defendants”), by and through their counsel of record, that Righthaven’s Response to
4 Defendants’ And Counterclaimant’s Motion To Dismiss For Failure To State A Claim Upon
5 Which Relief Can Be Granted, For Judgment On The Pleadings Or, In The Alternative, For
6 Summary Judgment (Doc. # 9, the “Motion to Dismiss”) shall all be due on or before February
7 14, 2011. In view of this extension of time, Defendants shall have until February 28, 2011 to file
8 their reply in support of the Motion to Dismiss. Righthaven shall also have until February 16,
9 2011, to file its reply or other response to Counterclaimant’s Counterclaim (Doc. # 8).

10 IT IS HEREBY FURTHER STIPULATED BETWEEN Righthaven and Defendants that
11 the requirement to conduct a case conference under Federal Rule of Civil Procedure 26(f) and
12 LR 26-1(d) (the “Case Conference”) shall be extended for ninety (90) days and that no discovery
13 shall be conducted until such time as the parties have mutually agreed to conduct the Case
14 Conference. Accordingly, (i) the Courts’ Order (Doc. #8) that the parties must submit a
15 Discovery Plan and proposed Scheduling Order by March 5, 2011, shall be amended such that
16 the parties’ Discovery Plan and proposed Scheduling Order shall be submitted to the Court on or
17 before June 4, 2011, and (ii) the discovery dates set by operation of LR 26-1, including but not
18 limited to the discovery cut-off set forth in Rule 26-1(e)(1), shall similarly each be extended by
19 ninety (90) days.

20 This stipulation and order is entered into between Righthaven and Defendants due to the
21 nature of the issues raised in the Motion to Dismiss. This stipulation and order is also entered
22 into as an accommodation for the scheduling conflicts of Righthaven’s counsel. The extension
23 of time to conduct the Case Conference is sought because the parties wish to complete briefing
24 on the pending Motion to Dismiss, and potentially receive a ruling on same, prior to engaging in
25 expensive and time-consuming discovery efforts. This acknowledgment, however, should not be
26 interpreted as a waiver or relinquishment of either party’s right to request leave of the Court to
27 conduct discovery under Federal Rule of Civil Procedure 56(d) with respect to the Motion to
28 Dismiss, or with respect to any similar motion that Righthaven may file in response to

1 Defendants' Answer and Counterclaims. This stipulation is sought in good faith and not for
2 purposes of delay.

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5 Dated this 31st day of January, 2011.

6 RIDDER, COSTA & JOHNSTONE LLP SHAWN A. MANGANO, LTD.

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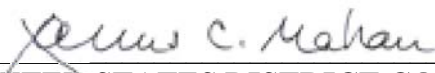
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16 *Attorneys for Defendants*

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22 **IT IS SO ORDERED:**

23 
24 **UNITED STATES DISTRICT COURT JUDGE**

25
26 **DATED:** February 7, 2011
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