



Diamond Resorts International, Inc. et al v. Reed Hein & Associates, LLC et al

2019 | Cited 0 times | D. Nevada | February 20, 2019

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DIAMOND RESORTS INTERNATIONAL, INC., a Delaware corporation; DIAMOND RESORTS CORPORATION, a Maryland corporation; DIAMOND RESORTS U.S. COLLECTION DEVELOPMENT, LLC, a Delaware limited liability company; and DIAMOND RESORTS MANAGEMENT, INC., an Arizona corporation,

Plaintiffs, vs. REED HEIN & ASSOCIATES, LLC, d/b/a TIMESHARE EXIT TEAM, a Washington limited liability company; BRANDON REED, an individual and citizen of the State of Washington; TREVOR HEIN, an individual and citizen of Canada; THOMAS PARENTEAU, an individual and citizen of the State of Washington; HAPPY HOUR MEDIA GROUP, LLC, a Washington limited liability company; MITCHELL REED SUSSMAN, ESQ. d/b/a THE LAW OFFICES OF MITCHELL REED SUSSMAN & ASSOCIATES, an individual citizen of the State of California; SCHROETER, GOLDMARK & BENDER, P.S. A Washington professional services corporation; and KEN B. PRIVETT, ESQ., a citizen of Oklahoma,

Defendants.

Case No.: 2:17-cv-03007-APG-VCF

STIPULATION AND ORDER TO EXTEND TIME TO FILE RESPONSE TO AMENDED



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COMPLAINT [ECF NO. 59] (SECOND REQUEST) ROBERT S. LARSEN, ESQ. Nevada Bar No. 7785
DAVID T. GLUTH, II, ESQ. Nevada Bar No. 10596 DIONE C. WRENN, ESQ. Nevada Bar No. 13285
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89101 Telephone: (702) 577-9300 Facsimile: (702) 255-2858 E-Mail: rlarsen@grsm.com 1 2 3 4 5 6 7 8 9
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STIPULATION AND ORDER TO EXTEND TIME TO FILE RESPONSE

TO AMENDED COMPLAINT [ECF NO. 59] (SECOND REQUEST) Pursuant to Local Rules 6-1 and 7-1, Plaintiffs DIAMOND RESORTS INTERNATIONAL, INC.; DIAMOND RESORTS CORPORATION; DIAMOND RESORTS U.S. COLLECTION DEVELOPMENT, LLC; and DIAMOND RESORTS MANAGEMENT, INC., (“Plaintiffs”), and Defendants REED HEIN & ASSOCIATES, LLC d/b/a TIMESHARE EXIT TEAM; BRANDON REED; and TREVOR HEIN (“Reed Hein Defendants”), by and through their respective attorneys of record, stipulate as follows:

STIPULATION 1. Plaintiffs filed their Complaint on December 6, 2017 [ECF No. 1]. 2. The Reed Hein Defendants filed a motion to dismiss. [ECF No. 22]. 3. The Court dismissed certain claims and the individual defendants from the lawsuit and allowed Plaintiffs to file an amended complaint. [ECF No. 50].

4. Plaintiffs filed their Amended Complaint for Damages and Injunctive Relief (“Amended Complaint”) on January 4, 2019 [ECF No. 59].

5. The Amended Complaint is 50 pages long with 232 separate paragraphs of allegations, nearly 100 more than the Complaint.

6. The Amended Complaint adds 7 defendants, 5 of whom were never previously part of the litigation.

7. The Amended Complaint also includes 7 causes of action including 3 new causes of action which were not part of the original Complaint.

8. The Amended Complaint in this case involves complex business tort, unfair business practices, and false advertising.

9. The parties previously agreed to an extension of time for Reed Hein Defendants to respond to the



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Amended Complaint until February 19, 2019. [ECF No. 71].

10. Unfortunately, the undersigned counsel was recently involved in an accident and has been out of the office for medical treatment. Therefore, counsel needs another short extension to allow them to fully review and respond to the allegations in the Amended 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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Complaint.

11. The Reed Hein Defendants request an additional nine (9) days to file their responses to the Amended Complaint, or until February 28, 2019.

12. The undersigned counsel also represents Happy Hour Media Group, LLC. Happy Hour's response is currently due on February 28, 2019. [ECF No. 73]. The requested extension will make the response due on the same date as the response for Happy Hour Media Group, LLC.

13. Plaintiffs' do not oppose the extension. 14. This stipulation is not made for purposes of delay. 15. Because new parties are being added to the litigation, any extension will have minimal impact on timing as those parties will need to time respond to the complaint as well. //////////////////////////////////////
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16. Therefore, the parties agree that the Reed Hein Defendants' respective responses to the Complaint are now due on or before February 28, 2019. DATED: February 15, 2019. GORDON REES SCULLY MANSUKHANI, LLP /s/ David T. Gluth ROBERT S. LARSEN, ESQ. Nevada Bar No. 7785 DAVID T. GLUTH, II, ESQ. Nevada Bar No. 10596 300 South 4 th

Street, Suite 1550 Las Vegas, Nevada 89101 Attorneys for Defendants Reed Hein & Associates, Brandon Reed and Trevor Hein



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DATED: February 15, 2019. COOPER LEVENSON, P.A.

/s/ Daniel J. Barsky DANIEL J. BARSKY, ESQ. Florida Bar No. 25713 (Admitted Pro Hac Vice)
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ORDER IT IS SO ORDERED.

UNITED STATES JUDGE DATED: 1152183/43402077v.1

