

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Paradise Entertainment Limited et al. v. Empire Technological Group Limited et al.

Paradise Entertainment · No. 2:24-CV-428 JCM (BNW) · Decided December 31, 2025

SUMMARY

The United States District Court for the District of Nevada grants plaintiffs’ emergency motion to extend the deadline to respond to defendants’ motion for judgment on the pleadings, setting the deadline for January 23, 2026. The court also advances briefing on plaintiffs’ motion to dismiss the Rule 12(c) motion, requiring defendants to respond by January 6, 2026, and plaintiffs to reply by January 9, 2026.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                          |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the District of Nevada                                                                                                                                                                                                                                                  |
| JURISDICTION       | United States District Court for the District of Nevada                                                                                                                                                                                                                                                  |
| DECIDED            | December 31, 2025                                                                                                                                                                                                                                                                                        |
| DOCKET             | 2:24-CV-428 JCM (BNW)                                                                                                                                                                                                                                                                                    |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE | Plaintiffs moved on an emergency basis for an extension of time to respond to defendants' motion for judgment on the pleadings and separately moved to dismiss that Rule 12(c) motion as untimely. The district court granted the extension and advanced the briefing schedule on the motion to dismiss. |
| STANDARD OF REVIEW | The court applied the emergency-relief requirements of Local Rule 7-4, requiring irreparable prejudice from ordinary briefing, lack of fault in creating the crisis or excusable neglect, and good cause for the requested extension.                                                                    |
| PRECEDENTIAL VALUE | unpublished                                                                                                                                                                                                                                                                                              |

TOPICS

- motion for judgment on the pleadings
- pleadings
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether plaintiffs established grounds for emergency relief and good cause for extending the deadline to respond to defendants' motion for judgment on the pleadings.
2. Whether the briefing schedule on plaintiffs' motion to dismiss the Rule 12(c) motion should be advanced.

## HOLDINGS

1. Plaintiffs demonstrated irreparable prejudice, were without fault in creating the crisis, and showed good cause for an extension; the court therefore extended their response deadline to January 23, 2026.
2. The court advanced the briefing schedule, giving defendants until January 6, 2026 to respond and plaintiffs until January 9, 2026 to reply, if any.

## KEY QUOTATIONS

*“Responding to a dispositive motion requires much attention and care.”* (at 2)

*“The court will not punish plaintiffs for refusing to take a bad faith deal.”* (at 2)

## FACTUAL BACKGROUND

Defendants filed a Rule 12(c) motion for judgment on the pleadings on Christmas Eve, after discovery had closed. Plaintiffs' counsel was traveling during the holidays, and plaintiffs also faced a January 9, 2026 deadline for expert reports. The parties were unable to stipulate to an extension because defendants conditioned additional response time on concessions concerning a summary-judgment deadline or the timeliness argument.

## PROCEDURAL HISTORY

Defendants filed a motion for judgment on the pleadings after discovery closed and shortly before the holidays. Plaintiffs sought additional time to respond, citing counsel's unavailability and an impending expert-report deadline. After the parties failed to agree on an extension, plaintiffs filed the emergency motions addressed in this order.

## DISPOSITION

other

## CASES CITED

- *Cardoza v. Bloomin' Brands, Inc.*, 141 F. Supp. 3d 1137, 1140, 1142 (D. Nev. 2015)
- *Ready Transp., Inc. v. AAR Mfg.*, 627 F.3d 402, 404 (9th Cir. 2010)

## OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 DISTRICT OF NEVADA 6 \* \* \* 7 PARADISE  
ENTERTAINMENT LIMITED, Case No.2:24-CV-428 JCM (BNW) et al., 8 Plaintiff(s), ORDER  
9 v. 10 EMPIRE TECHNOLOGICAL GROUP 11 LIMITED, et al., 12 Defendant(s). 13 14  
Presently before the court is plaintiffs Paradise Entertainment Limited and LT Game Inc.'s 15  
emergency motion to extend time.

(ECF No. 138). Defendants filed a response, (ECF No. 139), 16 to which plaintiffs replied (ECF  
No. 141). 17 Also before the court is plaintiffs' emergency motion to dismiss the 12(c) motion for  
18 judgment on the pleadings filed by defendants Roy Kelcey Allison, Empire Technological  
Group 19 20 Limited, Linyi Feng, Gaming Specialized Logistics LLC, and Daryn Kiely.

(ECF No. 140). 21 I. Background 22 Plaintiffs request additional time to respond to defendants'  
12(c) motion for judgment on 23 the pleadings. (ECF No. 136). Defendants filed the motion on  
Christmas Eve, after the close of 24 discovery. 25 26 Plaintiffs aver that defendants were aware  
plaintiffs' counsel is traveling out of office for 27 the holidays until the new year.

(Ciardullo Decl., ECF No. 138 ¶ 4). They plan to devote the time 28 they do have during their  
holiday to the January 9, 2026, deadline to generate expert reports. (Id.). 1 Plaintiffs' counsel  
declares that they asked for a stipulation to extend the deadline to 2 January 23, 2026. (Id. ¶ 5).  
Defendants agreed to change the response deadlines, if plaintiffs 3 stipulated to extend the March  
27, 2026, summary judgment deadline by forty-five days.

(Id.). 4 Defendants view the 12(c) motion as narrowing the issues ahead of their planned summary  
5 6 judgment motion. (Id.). 7 After additional communications between the parties, defendants  
reduced the additional 8 time to respond they were willing to allow plaintiffs. (Id. ¶ 9). They  
would not stipulate to a 9 January 23, 2026, deadline, unless plaintiffs refrained from arguing the  
procedural timeliness of 10 the 12(c) motion.

(Id.). Plaintiffs claim that this left the parties at an impasse, and accordingly 11 12 filed the present  
emergency motion. (Id.). 13 II. Legal Standard 14 Emergency motions are rarely granted. LR 7-  
4(b). They impose administrative burdens 15 and impede the adversarial process. *Cardoza v.*  
*Bloomin' Brands, Inc.*, 141 F. Supp. 3d 1137, 16 1140 (D. Nev. 2015). A matter is, in fact, an  
emergency when the moving party will be 17 18 "irreparably prejudiced" if the court resolves the  
motion on a normal briefing schedule and is 19 "without fault in creating the crisis that requires  
emergency relief" or can show excusable neglect.

20 Id. at 1142; see also LR 7-4(c). The rule is not intended for requests for procedural relief, e.g., a  
21 motion to extend time to file a brief. LR 7-4(b). 22 Local Rule 7-4 sets forth the requirements  
for filing emergency motions. Both motions 23 24 meet these requirements. (See Ciardullo Decl.,  
ECF No. 138; Ciardullo Decl., ECF No. 140). 25 III. Discussion 26 A. Motion to Extend Time 27

Although rule was not intended to cover the instant motion to extend time, the court will 28 1 consider the merits of the arguments at issue.

See *Ready Transp., Inc. v. AAR Mfg.*, 627 F.3d 402, 2 404 (9th Cir. 2010) (“It is well established that ‘[d]istrict courts have inherent power to control 3 their docket.’”). 4 Plaintiffs claim that the timing of defendants’ filing of the underlying motion for judgment 5 6 on the pleadings was “highly prejudicial” to plaintiffs because defendants were aware plaintiffs 7 would be out of town for the holidays, there is an impending expert report deadline requiring their 8 full attention at this point, and defendants could have filed their motion at any point in the last 9 twenty-two months.

10 The court agrees that resolving the motion on a normal briefing schedule will irreparably 11 12 prejudice the plaintiffs. See *Cardoza*, 141 F. Supp. 3d at 1142. Responding to a dispositive motion 13 requires much attention and care. Defendants could have filed the 12(c) motion at any point earlier 14 in time but decided to file on Christmas Eve when they understood that plaintiffs were traveling 15 out of office for the holidays until the new year.

(Ciardullo Decl., ECF No. 138 ¶ 4). 16 Further, defendants were aware of another impending deadline on January 9, 2026, for the 17 18 parties to file expert reports. Defendants were or should have been aware that plaintiffs would not 19 have the requisite time to adequately respond to the motion when they filed the motion. 20 Plaintiffs are without fault in creating this crisis.

See *Cardoza*, 141 F. Supp. 3d at 1142. 21 They informed defendants of their preoccupation during the holidays in advance and attempted to 22 negotiate for a stipulation to extend the briefing schedule. Those negotiations failed, but not out 23 24 of any bad faith or neglect on behalf of the plaintiffs. Defendants would agree to the stipulation 25 only if plaintiffs allow an extension for a summary judgment deadline of almost three times in 26 length.

Further negotiations resulted in a worse deal for plaintiffs: forego filing a motion or accept 27 a shorter additional time to respond. The court will not punish plaintiffs for refusing to take a bad 28 1 faith deal. 2 Defendants indicate in their response that they are willing to agree to a January 16, 2026, 3 deadline.

However, the court finds good cause to grant plaintiff’s request for a January 23, 2026, 4 extension; this is fourteen days after the expert report deadline. 5 6 B. Motion to Dismiss 7 Plaintiffs primarily request the court to deny the 12(c) motion as untimely without 8 prejudice.

After reviewing plaintiffs’ arguments and cited authority, the court finds it necessary 9 to advance the briefing schedule on the motion so that it may fully consider the issues raised. 10 IV. Conclusion 11 12 Accordingly, 13 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiffs’ motion to 14 extend time (ECF No. 138) be, and the same hereby is, GRANTED.

Plaintiffs shall have until 15 January 23, 2026, to respond to the defendants' motion for judgment on the pleadings. (ECF No. 16 136). 17 18 IT IS FURTHER ORDERED the briefing on plaintiffs' motion to dismiss defendants' 19 12(c) motion be advanced. (ECF No. 140). Defendants shall have until January 6, 2026, to file a 20 response and plaintiffs shall have until January 9, 2026, to file a reply, if any.

21 DATED December 31, 2025. 22 23 \_\_\_\_\_ 24  
UNITED STATES DISTRICT JUDGE 25 26 27 28