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ex rel. NEVADA GAMING CONTROL
BOARD

20 UNITED STATES DISTRICT COURT

21 DISTRICT OF NEVADA

22 STATE OF NEVADA ex rel. NEVADA
 23 GAMING CONTROL BOARD,

24 Plaintiffs,

25 v.

26 BLOCKRATIZE INC. d/b/a Polymarket; QCX
 27 LLC d/b/a Polymarket US; ADVENTURE
 ONE QSS INC. d/b/a Polymarket,

28 Defendants.

Case No.: 3:26-cv-00089-MMD-CLB

[Nev. Dist. Ct. No. 26OC000121B]

STIPULATION AND ORDER
 MODIFYING BRIEFING SCHEDULE
 ON DEFENDANTS' MOTION TO
 STAY PENDING APPEAL

(FIRST REQUEST)

1 Pursuant to Local Rules IA 6-1, IA 6-2, and 7-1, Plaintiff and Defendants, through their
2 respective counsel, submit the following Stipulation and Order Modifying Briefing Schedule on
3 Defendants' Motion to Stay Pending Appeal. This is the first stipulation for a modification of
4 the briefing schedule on Defendants' motion to stay pending appeal.

5 1. On January 29, 2026, the First Judicial District Court of the State of Nevada
6 granted Plaintiff's Application for an Ex Parte Temporary Restraining Order. The order enjoins
7 Defendants from "operating or offering a market in Nevada that involves 'event-based contracts'
8 without a valid license issued in accordance with Chapter 463 of Nevada Revised Statutes."
9 Dkt. 2-4, at 72. The *ex parte* temporary restraining order is currently set to expire on March 6,
10 2026. Dkt. 38.

11 2. On February 5, 2026, Defendants removed this case to this Court pursuant to
12 28 U.S.C. §§ 1331, 1441, 1442(a)(1), and 1446.

13 3. On March 2, 2026, the Court entered an order remanding the case to state court.
14 Dkt. 41. Because the case was "removed pursuant to section 1442," Defendants have the
15 statutory right to appeal the remand order, 28 U.S.C. § 1447(d), and they intend to exercise that
16 right.

17 4. In the meantime, the Court retains "jurisdiction to review"—and stay—"that
18 order," even if the remand order has been "transmitt[ed] . . . to the state court." *Acad. of Country*
19 *Music v. Cont'l Cas. Co.*, 991 F.3d 1059, 1065 (9th Cir. 2021); *see Perez-Reyes v. Nat'l Distrib.*
20 *Ctrs., LLC*, 2018 WL 7077183, at *1 (C.D. Cal. Feb. 8, 2018) (collecting cases).

21 5. On March 2, 2026, Defendants therefore filed an emergency motion for an
22 administrative stay pending the Court's resolution of Defendants' forthcoming motion for a stay
23 pending appeal to the Ninth Circuit. Dkt. 42.

24 6. Defendants intend to file a motion for stay pending appeal later today, March 3,
25 2026. On an ordinary briefing schedule, Plaintiff's opposition brief would be due March 17,
26 2026, with Defendants' reply due March 24, 2026.

27 7. Plaintiff wishes to have the motion resolved before the expiration of the *ex parte*
28 temporary restraining order, but that would not be possible under the ordinary schedule. And it

1 would impose an unnecessary burden on the Court to resolve the motion by March 6.

2 8. So, to ensure that the parties have adequate time to brief—and the Court has
3 adequate time to consider—Defendants’ motion for a stay pending appeal, the parties have
4 agreed that good cause exists for a modest abbreviation to the ordinary briefing schedule.

5 9. Under the agreed abbreviated briefing schedule, the parties stipulate to the
6 following deadlines:

7 a. Defendants will file their motion for a stay pending appeal today (March 3,
8 2026).

9 b. Plaintiff will file its opposition to the stay motion on or before March 6, 2026.

10 c. Defendants will file any reply in support of the stay motion on or before
11 March 9, 2026.

12 10. Solely to avoid the burdens associated with an emergency motion and to ensure
13 that this Court—and, if necessary, the Ninth Circuit—have sufficient time to give due
14 consideration to the stay motion, Defendants have consented, pursuant to Fed. R. Civ.
15 P. 65(b)(2), to a further extension of the *ex parte* temporary restraining order, through April 6,
16 2026.

17 11. For the same reasons, Plaintiff has consented to an administrative stay of this
18 Court’s remand order up to and including April 6.

19 12. The parties respectfully request that the Court resolve the motion to stay pending
20 appeal by March 12, 2026. If the Court denies the motion, a ruling by March 12 would ensure
21 that the Ninth Circuit has sufficient time to receive briefing and rule on a stay request before the
22 *ex parte* temporary restraining order expires on April 6. *See* 9th Cir. R. 27-3 (Ninth Circuit stay
23 motions usually take a minimum of 21 days from the start of briefing to resolution).

24 13. Defendants consent to this extension without prejudice to—and while expressly
25 reserving—any defenses and objections, including those based on improper service and personal
26 jurisdiction. Plaintiff agrees not to rely on Defendants’ consent to the extension or on this
27 Stipulation as a basis for disputing the validity of Defendants’ defenses and objections.

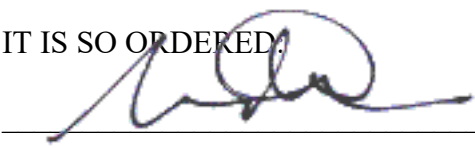
28 14. Similarly, Plaintiff agrees to the terms of this stipulation without prejudice to—

1 and while expressly reserving—any challenge to the jurisdiction of this Court over the civil
2 enforcement action brought by Plaintiff in state district court.

3 15. The parties respectfully request that the Court direct the Clerk of Court not to
4 mail the remand order to state court pending further order of the Court, and no earlier than
5 April 6, 2026.¹

6 16. For all of the aforementioned reasons, the parties stipulate and request the Court
7 issue an alternative briefing schedule for Defendants’ motion to stay pending appeal, as set forth
8 herein, and retain or recall the remand order.

9
10 IT IS SO ORDERED.

11
12 
13 UNITED STATES DISTRICT JUDGE

14 DATED: March 4, 2026
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25 ¹ Alternatively, if the Clerk has already mailed the order, the parties respectfully request that the
26 Court “enter an order recalling the remand and” direct the Clerk to “notify the [state court] that
27 the district court has resumed jurisdiction over the action” for the time being. *Acad. of Country*
28 *Music*, 991 F.3d at 1065; *see also, e.g., Town of Pine Hill v. 3M Co.*, 2025 WL 994187, at *1
(S.D. Ala. Apr. 2, 2025) (recalling case remanded before defendant could file its “motion to stay
the court’s remand order pending appeal”); *Bank of Am., N.A. v. El Paso Nat. Gas Co.*, 2017 WL
9478457, at *3 (W.D. Okla. Jan. 12, 2017) (same).

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