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 8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 RONALD R. JARAGOSKY, a single man,
 11
 Plaintiff,

12 vs.

13 FORD MOTOR COMPANY, a Delaware
 corporation; and JOHN DOE ENTITIES I-X,
 14 inclusive,

15 Defendants.

Case No. 2:17-CV-02089-RFB-GWF

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINE
 DATES (SECOND REQUEST)**

16
 17 Plaintiff Ronald R. Jaragosky and Defendant Ford Motor Company hereby stipulate and
 18 agree to continue discovery in this matter by approximately thirty (30) days.

19 **I.**

20 **BACKGROUND**

21 This is a complicated product liability action arising from a motor vehicle collision
 22 involving a 2001 Ford Explorer and a 2012 Chrysler van. On December 20, 2015, Plaintiff
 23 Ronald Jaragosky was riding in the front passenger seat of the 2001 Ford Explorer. The Explorer
 24 was driven by non-party Judy Ann Jiworsky northbound on SR-160 in Pahrump, Nevada. As the
 25 Explorer approached the intersection of SR-160 and Matthew Lane, the 2012 Chrysler van turned
 26 left in front of the Explorer. The right front of the Explorer collided with right front of the
 27 Chrysler van. Mr. Jaragosky sustained significant injuries in the crash.

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1 On August 1, 2017 Plaintiff filed suit against Ford. Plaintiff alleges claims of negligence
2 and strict product liability and seeks punitive damages. Plaintiff alleges that the 2001 Ford
3 Explorer failed to adequately protect Plaintiff when the airbags did not deploy. Ford denies that
4 the 2001 Ford Explorer was defective or that they are liable for Plaintiff's injuries and damages.

5 **II.**

6 **REASON FOR DISCOVERY REQUEST**

7 The parties have diligently pursued discovery in this case.¹ The parties are currently
8 negotiating the protocol for removing and downloading the restraints control module contained in
9 the subject Ford Explorer. The module records certain fault codes and other information that may
10 be relevant to the subject vehicle and subject crash. The module was manufactured by a third
11 party, Veoneer f/k/a Autoliv. Veoneer is the only party able to download the module's data,
12 using their proprietary software. Plaintiff's counsel has expressed concern about the ability to
13 verify the accuracy of the module's download, which has delayed the parties from scheduling the
14 removal and download. The parties are working through those issues now. But this has delayed
15 some information that both parties' experts need for their expert reports.

16 For this reason, the parties agree that it will be best to extend all discovery deadlines by 30
17 days to allow for these issues and, potentially, the removal of the restraints control module prior
18 to expert discovery in this case. The parties represent that good cause exists for this extension.
19 Further, though the request to move the Plaintiff's expert disclosure deadline is within the 21 day
20 period set by LR 26-4, the parties believe that this constitutes excusable neglect as the issues
21 surrounding the removal and download of the restraint control module pertain to both parties'
22 experts and it is fair for these issues to be resolved before Plaintiff discloses his experts' opinions.

23 **III.**

24 **DISCOVERY STATUS**

25 The following discovery has been completed:

- 26 • October 10, 2017 - Plaintiff's Initial Disclosure Statement

27 _____
28 ¹ As previously reported to the Court, the parties had some initial difficulty obtaining the most recent medical records for Plaintiff from the California facilities where Plaintiff is currently residing, but those issues are now resolved.

- 1 • November 10, 2017 - Ford Motor Company's Initial Disclosure Statement
- 2 • January 12, 2018 - Plaintiff's First Set of Non-Uniform Interrogatories to Defendant Ford
- 3 Motor Company
- 4 • January 12, 2018 - Plaintiff's First Set of Requests to Produce to Defendant Ford Motor
- 5 Company
- 6 • January 26, 2018 - Ford Motor Company's First Request for Production of Documents to
- 7 Ronald R. Jaragosky
- 8 • January 26, 2018 - Ford Motor Company's First Set of Non-Uniform Interrogatories to
- 9 Ronald R. Jaragosky
- 10 • January 31, 2018 - Submission of Protective Order
- 11 • March 12, 2018 - Deposition of Plaintiff Ronald Jaragosky
- 12 • March 12, 2018 - Deposition of Darby Jaragosky
- 13 • March 12, 2018 - Plaintiff's Second Set of Requests to Produce to Defendant Ford
- 14 Motor Company
- 15 • March 14, 2018 - Deposition of Donald Patrick (non-party driver of 2012 Chrysler)
- 16 • March 15, 2018 - Deposition of Kevin Clickner, Pahrump Valley Fire and Rescue
- 17 • March 15, 2018 - Deposition of Judy Ann Jiworsky (non-party driver of 2001 Ford
- 18 Explorer)
- 19 • March 19, 2018 - Vehicle inspection by Ford's experts
- 20 • March 22, 2018 - Deposition of Officer Truscello, Nevada Highway Patrol
- 21 • May 1, 2018 - Vehicle inspection by Ford's experts

22 **IV.**

23 **DISCOVERY THAT REMAINS TO BE COMPLETED**

24 A. Plaintiff:

- 25 1. Plaintiff intends to notice the 30(b)(6) depositions of Defendant's corporate
- 26 representatives;
- 27 2. Plaintiff will be identifying experts on both liability and damages;
- 28 3. Plaintiff may propound additional written discovery as needed;

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VI.
CONCLUSION

Good cause is exists to extend the discovery deadlines as the parties have worked diligently towards completing fact discovery prior to expert disclosure. Therefore, the parties respectfully ask that this Court grant their request to adjust the case management deadlines as set forth herein.

DATED this 4th day of June, 2018.

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SNELL & WILMER L.L.P.

LAW OFFICES OF
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Ronald R. Jaragosky*

ORDER

IT IS HEREBY ORDERED that the case management deadlines are extended as agreed to by the parties in the above stipulation and as follows:

- 9. Last day to amend pleadings and add parties: July 2, 2018
- 10. File the interim status report: July 2, 2018
- 11. Plaintiff's initial expert disclosure: July 1, 2018
- 12. Defendant's initial expert disclosure: August 29, 2018
- 13. Rebuttal expert disclosure: October 1, 2018
- 14. Discovery cut off: December 1, 2018
- 15. Dispositive motions: January 15, 2019
- 16. Joint pretrial order: February 14, 2019

IT IS SO ORDERED.

DATED this 8th day of June, 2018.


U.S. MAGISTRATE JUDGE

Prepared and Submitted by:
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