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15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 PHILLIP SEMPER, et al.,

18 Plaintiffs,

19 vs.

20 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et. al,

21 Defendants.

Case No.: 2:20-cv-01875-JCM-EJY

JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND DEADLINE FOR
DISPOSITIVE MOTIONS
(NINTH REQUEST)

22
23 The Represented Plaintiffs, Connie Denise Semper, as Special Administrator for the Estate of
24 Phillip Semper, Corey Johnson, Ashley Medlock, Michael Green, Demarlo Riley, Clinton Reece, and
25 Lonicia Bowie(“Plaintiffs”) and Defendants, the Las Vegas Metropolitan Police Department (the

1 “Department” or “LVMPD”), Sheriff Joseph Lombardo (“Lombardo”), Andrew Bauman
2 (“Bauman”), Matthew Kravetz (“Kravetz”), Supreet Kaur (“Kaur”), David Jeong (“Jeong”), and
3 Theron Young (“Young”), collectively (“LVMPD Defendants”), by their respective counsel, hereby
4 stipulate and agree to extend the Discovery Plan and Scheduling Order an additional **21 days**. This
5 Stipulation is sought in good faith and not for the purposes of delay. This Stipulation is being entered
6 in good faith and not for purposes of delay(supplemented information noted in **bold-face** type.

7 Parties hereby stipulate pursuant to Rules 16 and 26 of the Federal Rules of Civil Procedure
8 as follows:

9
10 **I. STATUS OF DISCOVERY**

11 **A. Plaintiffs’ Discovery**

- 12 1. Plaintiffs’ Initial Disclosure of Witnesses and Documents Pursuant to FRCP
13 26.1(a)(1) dated July 6, 2021;
- 14 2. Plaintiffs’ First Set of Interrogatories to Defendant Andrew Bauman dated July 22,
15 2021;
- 16 3. Plaintiffs’ First Set of Requests for Production to Defendant Andrew Bauman dated
17 July 22, 2021;
- 18 4. Plaintiffs’ First Set of Interrogatories to Defendant David Jeong dated July 22, 2021;
- 19 5. Plaintiffs’ First Set of Requests for Production to Defendant David Jeong dated July
20 22, 2021;
- 21 6. Plaintiffs’ First Set of Interrogatories to Defendant Supreet Kaur dated July 22, 2021;
- 22 7. Plaintiffs’ First Set of Requests for Production to Defendant Supreet Kaur dated July
23 22, 2021;
- 24 8. Plaintiffs’ First Set of Interrogatories to Defendant Matthew Kravetz dated July 22,
25 2021;

- 1 9. Plaintiffs' First Set of Requests for Production to Defendant Matthew Kravetz dated
2 July 22, 2021;
- 3 10. Plaintiffs' First Set of Interrogatories to Defendant LVMPD dated July 22, 2021;
- 4 11. Plaintiffs' First Set of Requests for Production to Defendant LVMPD dated July 22,
5 2021;
- 6 12. Plaintiffs' First Set of Interrogatories to Defendant Theron Young dated July 22, 2021;
- 7 13. Plaintiffs' First Set of Requests for Production to Defendant Theron Young dated July
8 22, 2021;
- 9 14. Plaintiffs' First Supplemental Disclosure of Witnesses and Documents Pursuant to
10 FRCP 26.1(a)(1) dated July 30, 2021;
- 11 15. Plaintiffs' Second Set of Interrogatories to LVMPD dated July 30, 2021;
- 12 16. Plaintiffs' Second Set of Requests for Production of Documents to LVMPD dated July
13 30, 2021;
- 14 17. Plaintiffs' Third Set of Requests for Production to LVMPD dated October 22, 2021;
- 15 18. Plaintiffs' Fourth Set of Requests for Production of Documents to LVMPD dated
16 March 31, 2022;
- 17 19. Plaintiffs' Second Supplemental FRCP 26.1 Disclosures dated March 31, 2022;
- 18 20. Plaintiff Corey Johnson's Answers to Defendants' First Set of Requests for Admissions
19 dated April 15, 2022;
- 20 21. Plaintiff Corey Johnson's Answers to Defendants' First Set of Interrogatories dated
21 April 15, 2022;
- 22 22. Plaintiff Connie Semper's Answers to Defendants' First Set of Requests for
23 Admissions dated April 15, 2022;
- 24 23. Plaintiff Connie Semper's Answers to Defendants' First Set of Interrogatories dated
25 April 15, 2022;

1 24. Plaintiff Michael Green's Answers to Defendants' First Set of Requests for Admissions
2 dated April 15, 2022;

3 25. Plaintiff Michael Green's Answers to Defendants' First Set of Interrogatories dated
4 April 15, 2022;

5 26. Plaintiff Ashley Medlock's Answers to Defendants' First Set of Requests for
6 Admissions dated April 15, 2022;

7 27. Plaintiff Ashley Medlock's Answers to Defendants' First Set of Interrogatories dated
8 April 15, 2022;

9 28. Plaintiff Lonicia Bowie's Answers to Defendants' First Set of Requests for Admissions
10 dated April 15, 2022;

11 29. Plaintiff Lonicia Bowie's Answers to Defendants' First Set of Interrogatories dated
12 April 15, 2022;

13 30. Plaintiff Clinton Reece's Answers to Defendants' First Set of Requests for Admissions
14 dated April 15, 2022;

15 31. Plaintiff Clinton Reece's Answers to Defendants' First Set of Interrogatories dated
16 April 15, 2022;

17 32. Plaintiff Demarlo Riley's Answers to Defendants' First Set of Requests for Admissions
18 dated April 15, 2022;

19 33. Plaintiff Demarlo Riley's Answers to Defendants' First Set of Interrogatories dated
20 April 15, 2022;

21 34. Plaintiffs' Third Set of Interrogatories to LVMPD dated February 8, 2023;

22 35. Plaintiffs' Second Set of Interrogatories to Defendant Andrew Bauman dated February
23 16, 2023;

24 36. Plaintiffs' First Set of Requests for Admissions to Defendant Andrew Bauman dated
25 February 16, 2023;

- 1 37. Plaintiffs' Fifth Set of Requests for Production to LVMPD dated February 27, 2023;
- 2 38. Michael Green's First Amended Answers to LVMPD's First Set of Interrogatories
3 dated March 23, 2023;
- 4 39. Plaintiffs' Third Supplemental FRCP 26.1 Disclosures dated February 27, 2023;
- 5 40. Plaintiffs' Expert Witness 26.1 FRCP Disclosures dated July 17, 2023;
- 6 41. Plaintiffs' Fourth Supplemental FRCP 26.1 Disclosures dated July 31, 2023;
- 7 42. Plaintiffs' Fourth Set of Interrogatories to LVMPD dated August 9, 2023;
- 8 43. Plaintiffs' Sixth Set of Requests for Production to LVMPD dated August 9, 2023;
- 9 44. Plaintiffs' First Set of Requests for Admissions to LVMPD dated August 9, 2023;
- 10 45. Plaintiffs' Fifth Supplemental FRCP 26.1 Disclosures dated August 24, 2023;
- 11 46. Corey Johnson's Amended Answers to LVMPD's First Set of Requests for Admissions
12 dated August 28, 2023;
- 13 47. Connie Semper's Amended Answers to LVMPD's First Set for Requests for
14 Admissions dated August 29, 2023;
- 15 48. Demarlo Riley's Amended Answers to LVMPD's First Set for Requests for
16 Admissions dated August 29, 2023;
- 17 49. Clinton Reece's Amended Answers to LVMPD's First Set for Requests for Admissions
18 dated August 29, 2023;
- 19 50. Ashley Medlock's Amended Answers to LVMPD's First Set for Requests for
20 Admissions dated August 29, 2023;
- 21 51. Michael Green's Amended Answers to LVMPD's First Set for Requests for
22 Admissions dated August 29, 2023;
- 23 52. Lonicia Bowie's Amended Answers to LVMPD's First Set for Requests for
24 Admissions dated August 29, 2023;
- 25

1 53. Plaintiffs' First Set of Requests for Admission to LVMPD dated November 17, 2023;
2 and

3 54. Plaintiffs' Fourth Set of Interrogatories to LVMPD dated November 17, 2023.
4 LVMPD Defendants' Initial Disclosure of Witnesses and Documents Pursuant to FRCP
5 26.1(a)(1) dated July 6, 2021;

6 **B. Defendants' Discovery**

7 55. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant Andrew
8 Bauman dated August 31, 2021;

9 56. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
10 Andrew Bauman dated August 31, 2021;

11 57. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant David
12 Jeong dated August 31, 2021;

13 58. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
14 David Jeong dated August 31, 2021;

15 59. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant Supreet
16 Kaur dated August 31, 2021;

17 60. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
18 Supreet Kaur dated August 31, 2021;

19 61. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant Matthew
20 Kravetz dated August 31, 2021;

21 62. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
22 Matthew Kravetz dated August 31, 2021;

23 63. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant LVMPD
24 dated August 31, 2021;

1 64. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
2 LVMPD dated August 31, 2021;

3 65. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant Theron
4 Young dated August 31, 2021;

5 66. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
6 Theron Young dated August 31, 2021;

7 67. Defendants' First Supplemental Disclosure of Witnesses and Documents Pursuant to
8 FRCP 26.1(a)(1) dated August 31, 2021;

9 68. Defendant's Answers to Plaintiffs' Second Set of Interrogatories to LVMPD dated
10 September 1, 2021;

11 69. Defendant's Responses to Plaintiffs' Second Set of Requests for Production of
12 Records to LVMPD dated September 1, 2021;

13 70. Theron Young's Amended Answers to Plaintiffs' First Set of Interrogatories dated
14 September 8, 2021;

15 71. LVMPD's Amended Answers to Plaintiffs' First Set of Interrogatories dated
16 September 16, 2021;

17 72. LVMPD's Supplemental Responses to Plaintiffs' First Set of Requests for Production
18 dated November 2, 2021;

19 73. LVMPD Defendants' Second Supplemental FRCP 26.1 Disclosures dated November
20 3, 2021;

21 74. LVMPD's Responses to Plaintiffs' Third Set of Requests for Production dated
22 November 23, 2021;

23 75. LVMPD Defendants' Third Supplemental FRCP 26.1 Disclosures dated November
24 23,2021;

- 1 76. LVMPD Defendants' Fourth Supplemental FRCP 26.1 Disclosures dated February 3,
2 2023;
- 3 77. LVMPD Defendants' Fifth Supplemental FRCP 26.1 Disclosures dated March 14,
4 2022;
- 5 78. LVMPD Defendants' First Set of Interrogatories to Plaintiff Connie Denise Semper,
6 asSpecial Administrator for the Estate of Phillip Semper dated March 16, 2022;
- 7 79. LVMPD Defendants' First Set of Interrogatories to Plaintiff Corey Johnson dated
8 March 16, 2022;
- 9 80. LVMPD Defendants' First Set of Interrogatories to Plaintiff Ashley Medlock dated
10 March 16, 2022;
- 11 81. LVMPD Defendants' First Set of Interrogatories to Plaintiff Michael Green dated
12 March 16, 2022;
- 13 82. LVMPD Defendants' First Set of Interrogatories to Plaintiff Demarlo Riley dated
14 March 16, 2022;
- 15 83. LVMPD Defendants' First Set of Interrogatories toPlaintiff Clinton Reece dated
16 March 16, 2022;
- 17 84. LVMPD Defendants' First Set of Interrogatories to Plaintiff Lonicia Bowie dated
18 March 16, 2022;
- 19 85. LVMPD Defendants' First Set of Interrogatories to Plaintiff Cory Bass dated March
20 16, 2022;
- 21 86. LVMPD Defendants' First Set of Interrogatories to Plaintiff Antonio Williams dated
22 March 16, 2022;
- 23 87. LVMPD Defendants' First Set of Interrogatories to Plaintiff Breanna Nellums dated
24 March 16, 2022;
- 25

1 88. LVMPD Defendants' First Set of Interrogatories to Plaintiff Carlos Bass dated March
2 16, 2022;

3 89. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Connie Denise
4 Semper, as Special Administrator for the Estate of Phillip Semper dated March 16, 2022;

5 90. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Corey Johnson
6 dated March 16, 2022;

7 91. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Ashley
8 Medlock dated March 16, 2022;

9 92. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Michael Green
10 dated March 16, 2022;

11 93. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Demarlo Riley
12 dated March 16, 2022;

13 94. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Clinton Reece
14 dated March 16, 2022;

15 95. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Lonicia Bowie
16 dated March 16, 2022;

17 96. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Cory Bass dated
18 March 16, 2022;

19 97. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Antonio
20 Williams dated March 16,2022;

21 98. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Breanna
22 Nellums dated March 16, 2022;

23 99. LVMPD Defendants' First Set of Requests for Admissions to Plaintiff Carlos Bass
24 dated March 16, 2022;

25

- 1 100. LVMPD's Responses to Plaintiffs' Fourth Set of Requests for Production dated May
2 10, 2022;
- 3 101. LVMPD Defendants' Sixth Supplemental FRCP 26.1 Disclosures dated May 10, 2022;
- 4 102. LVMPD's Second Supplemental Responses to Plaintiffs' First Set of Requests for
5 Production dated August 16, 2022;
- 6 103. LVMPD's First Supplemental Responses to Plaintiffs' Third Set of Requests for
7 Production dated August 16, 2022;
- 8 104. LVMPD Defendants' Seventh Supplemental FRCP 26.1 Disclosures dated August 16,
9 2022;
- 10 105. LVMPD Defendants' Eighth Supplemental FRCP 26.1 Disclosures dated December 7,
11 2022;
- 12 106. LVMPD Defendants' Ninth Supplemental FRCP 26.1 Disclosures dated January 12,
13 2023;
- 14 107. LVMPD Defendants' Tenth Supplemental FRCP 26.1 Disclosures dated February 2,
15 2023;
- 16 108. LVMPD's Answers to Plaintiffs' Third Set of Interrogatories dated March 20, 2023;
- 17 109. Andrew Bauman's Answers to Plaintiffs' Second Set of Interrogatories dated March
18 21, 2023;
- 19 110. Andrew Bauman's Answers to Plaintiffs' First Set of Requests for Admissions dated
20 March 21, 2023;
- 21 111. LVMPD's Responses to Plaintiffs' Fifth Set of Requests for Production dated April 5,
22 2023;
- 23 112. LVMPD Defendants' Eleventh Supplemental FRCP 26.1 Disclosures dated April 5,
24 2023;
- 25

1 113. LVMPD's Answers to Plaintiffs' Fourth Set of Interrogatories dated September 27,
2 2023;

3 114. LVMPD's Responses to Plaintiffs' Sixth Set of Requests for Production dated
4 September 27, 2023;

5 115. LVMPD's Responses to Plaintiffs' First Set of Requests for Admissions dated
6 September 27, 2023;

7 116. LVMPD Defendants' Twelfth Supplemental FRCP 26.1 Disclosures dated September
8 27, 2023;

9 117. LVMPD Defendants' Thirteenth Supplemental FRCP 26.1 Disclosures dated October
10 16, 2023;

11 118. LVMPD Defendants' Fourteenth Supplemental FRCP 26.1 Disclosures dated October
12 24, 2023;

13 119. LVMPD's Responses to Plaintiffs' First Set of Requests for Admission December 18,
14 2023;

15 120. LVMPD's Answers to Plaintiffs' Fourth Set of Interrogatories dated December 18,
16 2023;

17 121. **LVMPD Defendants' Fifteenth Supplemental FRCP 26.1 Disclosures dated**
18 **January 12, 2024;**

19
20 **C. Depositions**

- 21 1. Plaintiffs deposed Defendant Officer Andrew Bauman on November 9, 2021.
- 22 2. Plaintiffs deposed Officer Nicholas Brigandi on April 18, 2022.
- 23 3. Plaintiffs deposed Det. Blake Walford on May 11, 2022.
- 24 4. Plaintiffs deposed Defendant Officer Theron Young on May 16, 2022.
- 25 5. Plaintiffs deposed Defendant Officer Supreet Kaur on August 31, 2022.

- 1 6. Plaintiffs deposed Defendant Officer Matthew Kravetz on September 6, 2022.
- 2 7. Plaintiffs deposed FRCP 30(b)(6) of LVMPD (Landon Reyes) on December 13, 2022;
- 3 8. Plaintiffs deposed FRCP 30(b)(6) of LVMPD (Fred Haas) on January 10, 2023;
- 4 9. LVMPD Defendants deposed/recorded Non-Appearance of Plaintiff Pro Per Cory
5 Bass on March 13, 2023;
- 6 10. LVMPD Defendants deposed/recorded Non-Appearance of Plaintiff Pro Per Carlos
7 Bass on March 13, 2023;
- 8 11. LVMPD Defendants deposed/recorded Non-Appearance of Plaintiff ProPer Breanna
9 Nellums on March 15, 2023;
- 10 12. LVMPD Defendants deposed/recorded Non-Appearance of Plaintiff Pro Per Antonio
11 Williams on March 15, 2023;
- 12 13. LVMPD Defendants deposed Plaintiff Michael Green on March 27, 2023.
- 13 14. LVMPD Defendants deposed Plaintiff Lonicia Bowie on August 21, 2023;
- 14 15. LVMPD Defendants deposed Plaintiff Counnie Walker [Connie Semper] on August
15 22, 2023;
- 16 16. LVMPD Defendants deposed Plaintiff Clinton Reece on August 22, 2023;
- 17 17. LVMPD Defendants deposed Plaintiffs' Expert Ana Muñiz, Ph.D. on August 25,
18 2023;
- 19 18. LVMPD Defendants deposed Plaintiff Corey Johnson on August 28, 2023;
- 20 19. LVMPD Defendants deposed Plaintiff Demarlo Riley on September 11, 2023;
- 21 20. Plaintiffs deposed FRCP 30(b)(6) of LVMPD (Sgt. Shane Price) on September 29,
22 2023; and
- 23 21. LVMPD Defendants competed deposition of Plaintiff Clinton Reece on October 10,
24 2023
- 25

1 **II. Discovery that remains to be completed.**

2 Defendant LVMPD is finalizing a supplementation of its answers to Plaintiff's
3 interrogatories. For the reasons explained below, the Parties will need additional time to respond to
4 written discovery and file dispositive motions incorporating those responses.

5
6 **III. Specific Description of Why Extension is Necessary.**

7 Parties seek (1) a 21-day extension for filing dispositive motions from February 20, 2024, to
8 March 12, 2024, and (2) to continue the pretrial order date from March 18, 2024, to April 8, 2024.
9 All other deadlines will not be affected by this extension.

10 Parties acknowledge that a showing of good cause is necessary for any modifications to a
11 scheduling order within 21 days of a deadline being modified. Local Rule 26-3.

12 Parties assert that good cause exists for a number of reasons. Defendants are supplementing
13 their response to Plaintiff's interrogatories, and parties believe that supplementation may contain
14 information pertinent to dispositive motions. Defendants have been delayed in providing this
15 information due to the time it has taken for Defendant agency to collect information related to
16 Plaintiff's interrogatory, review that information for accuracy, and finalize the answers. In part the
17 Defendant's response to Plaintiff's interrogatory was a compromise in lieu of further deposition
18 testimony from Defendant's 30(b)(6) in an effort to conserve resources, meaning that the information
19 sought by Plaintiffs was more extensive than is typical for an interrogatory.

20 Due to the number of parties involved and the complicated nature of the matters, Parties intend
21 to file a motion to exceed page limits prior to filing dispositive motions. Parties are still working to
22 determine the extent of that potential request which may need to be modified depending on the
23 Defendant's answers to the interrogatories.

24 Finally, counsel for Defendants has a trial beginning next week that will last until March 4,
25 2024.

1 **IV. Proposed Schedule for Completing All Remaining Deadlines**

2

	Current Deadline	Proposed New Deadline
3 Amend Pleadings and Add Parties	March 18, 2023	Past Due/Unchanged
4 Initial Expert Disclosures	July 17, 2023	Past Due/Unchanged
5 Rebuttal Expert Disclosures	August 16, 2023	Past Due/Unchanged
6 Discovery Cut-Off	December 18, 2023	Past Due/Unchanged
7 Dispositive Motions	February 20, 2024	March 12, 2024
8 Pretrial Order	March 18, 2024 (If dispositive motions are filed, the deadline for shall be suspended until thirty (30) days after the decision of the dispositive motions or further order of the Court.)	April 8, 2024 (If dispositive motions are filed, the deadline for shall be suspended until thirty (30) days after the decision of the dispositive motions or further order of the Court.)

9

10 Based on the foregoing stipulation and proposed deadlines plan, the Parties request that the

11 Discovery Plan and Scheduling Order deadlines be extended an additional 21 days limited to

12 completing disclosure of the remaining interrogatory supplementation and filing dispositive motions.

13 IT IS SO STIPULATED

14 DATED: February 15, 2024

15

16

17 **MARQUIS AURBACH**

18 */s/ Jackie V. Nichols*
 19 Craig R. Anderson, Esq.
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**AMERICAN CIVIL LIBERTIES UNION
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23 **IT IS SO ORDERED.**

24 
 25 **U.S. MAGISTRATE JUDGE**

Dated: February 15, 2024