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

10 JUSTIN ORNELAS, JAZMIN ORENELAS and
 11 J.O., Jr., a minor by and through his Guardian Ad
 Litem, JUSTIN ORNELAS,

12 Plaintiffs,

13 v.

14 AMAZON.COM, INC., a foreign corporation;
 15 VOKHIDZMON ABDUKARIMOV, an
 individual; OXOS LLC, a foreign corporation;
 16 BXT, INC., an Illinois corporation; and DOES I
 through 20, inclusive.

17 Defendants.

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 19 ROGER LARGAESPADA, individually; JOSE
 ORLANDO LARGAESPADA, individually
 20 IRENE LARGAESPADA, individually;
 GLORIA RUTH LARGAESPADA, individually,

21 Plaintiffs,

22 v.

23 VOKHIDZMON ABDUKARIMOV, an
 24 individual; OXOS LLC, a foreign corporation;
 INKAS, LLC, a foreign corporation; BXT, INC.,
 25 an Illinois corporation; DOES I through 20; and
 ROE CORPORATIONS 1 through 20, inclusive,

26 Defendants.
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CASE NO.: 2:22-cv-00304-JCM-DJA

**STIPULATION TO EXTEND
 DISCOVERY AND OTHER DEADLINES**

**(OXOS, LLC’S FIRST REQUEST,
 SECOND OVERALL REQUEST)**

Consolidated with:

CASE NO.: 2:23-cv-00609-GMN-VCF

1 AMAZON.COM, INC., a foreign corporation,

2
3 Third-party Plaintiff,

4 v.

5 INKAS, LLC, a foreign corporation, DOES I
6 through X, ROE BUSINESS ENTITIES 1
7 through 10, inclusive,

8 Third-party Defendants.
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10 Defendant OXOS, LLC, (“Defendant Oxos”), by and through its attorneys of record,
11 RANDALL TINDALL and MATTHEW B. BECKSTEAD, of the law firm Resnick & Louis, P.C.,
12 and the other parties to this action, namely Plaintiffs JUSTIN ORNELAS, JAZMIN ORNELAS,
13 and JUSTIN ORNELAS as Guardian Ad Litem for minor child J.O., JR., by and through their
14 attorneys of record, ROBERT J. STOLL, JR., ROBERT J. STOLL, III, and BAGRIEL A.
15 SINISCAL, of the law firm STOLL, NUSSBAUM & POLAKOV; Plaintiffs ROGER
16 LARGAESPADA, ORLANDO LARGAESPADA, IRENE LARGAESPADA, and GLORIA
17 RUTH LARGAESPADA, by and through their attorneys of record, RICHARD A. HARRIS and
18 JOHNATHAN LEAVITT, of the law firm RICHARD HARRIS LAW FIRM; Defendant/Third-
19 party Plaintiff AMAZON.COM, INC. (“Defendant Amazon.com”), by and through its attorneys
20 of record, KAREN L. BASHOR and CHRISTOPHER D. PHIPPS, of the law firm WILSON,
21 ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP; Defendants VOKHIDZMON
22 ABDUKARIMOV (“Defendant Abdukarimov”) and BXT, INC. (“Defendant BXT”), by and
23 through their attorneys of record, ELIZABETH M. DEANE, of the law firm BREMER WHYTE
24 BROWN & O’MEARA, LLP; and Defendant/Third-party Defendant INKAS, LLC, (“Defendant
25 Inkas”) by and through its attorneys of records M. BRADLEY JOHNSON and GINA
26 MUSHMECHE, of the law firm SCHNITZER JOHNSON & WATSON, CHTD. (collectively,
27 “Parties”), hereby stipulate to extend the deadlines in this action as set forth in the Court’s Order
28 [ECF No. 64]. The Parties hereby aver, under LR IA 6-1(a), that this is the second overall request

1 for extended deadlines, and Defendant Oxos's first overall request for extended deadlines.

2 **I. DISCOVERY COMPLETED TO DATE**

- 3 • Parties Ornelas Plaintiffs, BXT, and Amazon conducted a Rule 26(f) conference on July 5,
4 2023.
- 5 • Plaintiffs Ornelas served their initial Rule 26(a)(1) disclosures on July 18, 2022.
- 6 • Plaintiffs Largaespada served their initial Rule 26(a)(1) disclosures on September 21, 2023.
- 7 • Defendant Amazon.com served its initial Rule 26(a)(1) disclosures on April 18, 2022.
- 8 • Defendants Abdugarimov and BXT serve their initial Rule 26(a)(1) disclosures on July 20,
9 2022.
- 10 • Defendant Inkas served its initial Rule 26(a)(1) disclosures on December 5, 2023.
- 11 • Plaintiff Justin Ornelas propounded a full set of written discovery to Defendant
12 Abdugarimov (Requests for Admission, Interrogatories, and Requests for Production of
13 Documents), for which responses have been provided.
- 14 • Plaintiff Justin Ornelas, Plaintiff J.O. (minor) and Plaintiff Jasmin Ornelas have each
15 propounded a full set of written discovery to Amazon (Requests for Admissions,
16 Interrogatories, and Requests for Production), for which responses have been provided.
- 17 • Defendant Amazon propounded a full set of written discovery to each Plaintiff Justin
18 Ornelas, Plaintiff J.O. (minor), and Plaintiff Jasmin Ornelas (Requests for Admissions,
19 Interrogatories, and Requests for Production), for which responses have been provided.
- 20 • Plaintiff Irene Largaespada, Plaintiff Gloria Largaespada, Plaintiff Roger Largaespada, and
21 Plaintiff Jose Largaespada have each propounded a full set of written discovery to Amazon
22 (Requests for Admissions, Interrogatories, and Requests for Production), for which
23 responses have been provided.
- 24 • Defendant Amazon propounded a full set of written discovery to Defendant BXT (Requests
25 for Admission, Interrogatories, and Requests for Production of Documents), for which
26 responses have been provided.

- 1 • Defendant Amazon propounded a full set of written discovery to Defendant Inkas (Requests
2 for Admission, Interrogatories, and Requests for Production of Documents), for which
3 responses have been provided.
- 4 • Defendant Oxos duly served a Demand for Prior Discovery under LR 26-5 on March 12,
5 2024.

6 **II. DISCOVERY TO BE COMPLETED**

7 Discovery to be completed includes:

- 8 • Depositions of the NRCP 30(b)(6) witnesses of Defendants Amazon, Inkas, BXT, and
9 OXOS.
- 10 • Depositions of all named Plaintiffs.
- 11 • Depositions of various lay witnesses and other fact witnesses.
- 12 • Depositions of Investigating Officers.
- 13 • Defendant Amazon.com wishes to inspect the vehicles of Plaintiffs Ornelas and
14 Largaespada.
- 15 • Rule 35 Examinations of Plaintiffs based on the future treatment recommendations of their
16 providers.
- 17 • Disclosure of Initial Experts.
- 18 • Disclosure of Rebuttal Experts.
- 19 • Depositions of Plaintiffs' respective treating physicians and/or retained expert witnesses.
- 20 • Depositions of Defendants' retained experts.
- 21 • Additional written and oral discovery as deemed necessary by the parties as this action
22 proceeds.
- 23 • Subpoena of All Sets of Medical Records relevant to each respective Plaintiff's alleged
24 injuries and damages.
- 25 • Plaintiffs Largaespada will be propounding written discovery.

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1 **III. REASON DISCOVERY HAS NOT BEEN COMPLETED**

2 This is a complex matter involving multiple lawsuits (including a third action, *Rivera v.*
3 *Oxos, LLC*, Case No. A-23-869867-C, filed in the Eighth Judicial District Court in and for Clark
4 County, Nevada), multiple plaintiffs, and multiple defendants. The Parties have been diligently
5 working to complete discovery in this matter. However, additional time is needed. Defendant
6 OXOS was just added into this case late last year and has been in the process of getting up to
7 speed. However, doing so requires additional time due to the complexity of this case, the number
8 of Plaintiffs, and the various damages claims being asserted be each.

9 Furthermore, the Parties are considering global mediation with all nine plaintiffs and all
10 four defendants, with the parties likely needed at least one day, if not several days, to address the
11 claims of all parties who have an interest in this case. The mediators that the parties have looked
12 into are rather booked up such that the earliest they could expect to get into mediation would
13 likely be sometime in June 2024. The parties are currently coordinating to identify a mediator and
14 dates for mediation prior to July 1, 2024.

15 The Parties hereby stipulate to extend the currently controlling discovery deadlines stated
16 in this Court’s Order setting deadlines [ECF No. 64] by 120 days as provided below. The Parties’
17 work regarding discovery is actively ongoing, and it will continue in diligent fashion. The Parties
18 have acted in good faith to request this extension, and none of them has a reason or intent to delay
19 these proceedings or jury trial in this matter. The purpose of this stipulation to extend deadlines
20 is to allow the recently joined Defendant to get up to speed, to allow the parties to engage in all
21 necessary investigation and discovery prior to trial, and to allow the parties the ability to seek
22 global resolution through mediation with enough time remaining thereafter in the event that global
23 resolution is not possible in this case.

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IV. PRIOR SCHEDULE

According to the Court’s Order [ECF No. 64] setting deadlines, the existing deadlines are:

Amend Pleadings / Add Parties:	April 22, 2024
Initial Expert Disclosures:	May 20, 2024
Rebuttal Expert Reports:	June 20, 2024
Close of Discovery:	July 19, 2024
Dispositive Motions:	August 19, 2024
Joint Pre-Trial Order:	September 18, 2024

V. PROPOSED SCHEDULE

Private Mediation:	July 1, 2024
Amend Pleadings / Add Parties:	August 20, 2024
Initial Expert Disclosures:	September 19, 2024
Rebuttal Expert Reports:	October 18, 2024
Close of Discovery:	November 16, 2024
Dispositive Motions:	December 17, 2024
Joint Pre-Trial Order:	January 16, 2025

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline, though experience suggests the parties may need to seek additional time to finalize discovery, such as remaining expert or fact witness depositions. The Parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

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1 Dated this 29th day of March 2024

Dated this ____ day of March 2024

2 **RESNICK & LOUIS, P.C.**

STOLL, NUSSBAUM & POLAKOV

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Wet-ink Signature Attached Below
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Justin Ornelas, Jasmine Ornelas, and
Justin Ornelas as Guardian Ad Litem for
Justin Ornelas

10 Dated this 29th day of March 2024

Dated this 29th day of March 2024

11 **WILSON, ELSER, MOSKOWITZ,**
12 **EDELMAN & DICKER, LLP**

BREMER WHYTE BROWN &
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13 */s/ Christopher D. Phipps*
14 KAREN L. BASHOR
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21 *Plaintiff, Amazon.com, Inc.*

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Dated this 29th day of March 2024

RICHARD HARRIS LAW FIRM

/s/ Johnathan M. Leavitt
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Gloria Ruth Largaespada*

Dated this 29th day of March 2024

**SCHNITZER WATSON &
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IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED: 4/2/2024