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ELLEN REEVES, individually,

Plaintiff,

vs.

DISCOVER YOUR MOBILITY, INC., a  
foreign corporation; DOE EMPLOYEES I-V,  
individually; DOE MANAGERS I-V,  
individually; ROE MANUFACTURERS I-X;  
ROE INSPECTION COMPANIES I-V; ROE  
DISTRIBUTORS I-X; DOE INDIVIDUALS  
I-X; and ROE BUSINESS ENTITIES I-X,  
inclusive,

Defendants.

CASE NO: 2:22-CV-01361-GMN-DJA

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY PLAN AND  
SCHEDULING ORDER****(SECOND REQUEST)**

Plaintiff ELLEN REEVES and Defendant DISCOVER YOUR MOBILITY, INC., by and through their respective counsel of record, do hereby stipulate to extend the discovery cutoff in the present case for a period of ninety (90) days.

Pursuant to LR IA 6-1, the parties hereby aver that this is the second such discovery extension requested in this matter:

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1                   **B. GOOD CAUSE**

2                   This is a complex product liability - personal injury case. Further complicating this case  
3 is the lack of information as to the entity who manufactured the subject product and that entity's  
4 role in the chain of commerce. Plaintiff's counsel and Defense counsel have been working  
5 together to address the issue and potentially identify the manufacturer. Moreover, both sides are  
6 cognizant of litigation costs and desire to maintain economic efficiency where possible.  
7 Therefore, certain discovery has not yet been completed.  
8

9                   However, since the previous extension, Plaintiff has conducted FRCP 30(b)(6)  
10 deposition of Defendant DYM. In that deposition, a lot of outstanding issues were resolved with  
11 definite answers from Defendant DYM's corporate representative. These answers have provided  
12 the parties with a roadmap through the rest of this litigation. They have also allowed the parties  
13 to participate in meaningful settlement negotiations. Currently, the parties are planning on  
14 mediation of this matter in December. The extension requested herein will allow the parties to  
15 conduct that mediation while still having time to meet deadlines if no resolution is met.  
16

17                   Additionally, lead counsel for Defendant was transferred from Vincent Garrido, Esq. to  
18 Adam Knecht, Esq. As such, time was needed for Mr. Knecht to get up to speed on the case. For  
19 the reasons stated above, granting an extension of the discovery deadlines in this case is in the  
20 interest of justice and good cause exists therefor.

21                   **II. DISCOVERY COMPLETED TO DATE.**

22                   **To date, Plaintiff has produced the following discovery:**

- 23                   • Plaintiff's Initial Disclosure of Witnesses and Exhibits (served October 6, 2022);
- 24                   • Plaintiff's First Set of Requests for Production of Documents to Defendant DYM  
25                   (served December 16, 2022);
- 26                   • Plaintiff's Second Set of Requests for Production of Documents to Defendant DYM  
27                   (served March 3, 2023);
- 28                   • Plaintiff's First Set of Interrogatories to Defendant DYM (served March 3, 2023);

- 1 • Plaintiff's First Supplemental Disclosure of Witnesses and Exhibits (served March 6,
- 2 2023).
- 3 • Plaintiff's First Set of Requests for Admission to Defendant DYM (served April 11,
- 4 2023);
- 5 • Plaintiff's Amended First Set of Interrogatories to Defendant DYM (served April 11,
- 6 2023);
- 7 • Plaintiff's Second Supplemental Disclosure of Witnesses and Exhibits (served May 23,
- 8 2023);
- 9 • **FRCP 30(b)(6) deposition of Defendant DYM.**

10 **To date, Defendant DYM has produced the following discovery:**

- 11 • Defendant DYM's Initial Disclosure of Witnesses and Exhibits (served November 4,
- 12 2022);
- 13 • Defendant DYM's Responses to Plaintiff's First Set of Requests for Production of
- 14 Documents (Served March 8, 2023);
- 15 • Defendant DYM's Responses to Plaintiff's Second Set of Requests for Production of
- 16 Documents (Served April 10, 2023);
- 17 • Defendant DYM's Responses to Plaintiff's Amended First Set of Interrogatories
- 18 (served April 20, 2023);
- 19 • Defendant DYM's Responses to Plaintiff's First Set of Requests for Admission (Served
- 20 May 10, 2023);
- 21

22 **III. DISCOVERY REMAINING TO BE COMPLETED.**

23 In accordance with LR II 26-4(b), the Parties provide the following statement of  
24 discovery remaining to be completed:

- 25 1. Depositions of fact witnesses;
- 26 2. Deposition(s) of insurance broker(s);
- 27 3. Additional written discovery;

- 1 4. Addition of other parties;
- 2 5. Initial Expert disclosures;
- 3 6. Rebuttal Expert disclosures; and
- 4 7. Depositions of expert witnesses.

5 **A. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED.**

6 The parties have been working diligently to resolve outstanding issues and push the case  
7 forward. Since the last extension, Plaintiff has conducted the FRCP 30(b)(6) deposition of  
8 Defendant DYM. That deposition answered most if not all of the outstanding questions and  
9 issues in this case. Plaintiff was not able to fully push the case forward without resolution of  
10 those issues. Now with a full picture of the facts and circumstances, the parties have agreed to  
11 mediate sometime in early December. Both sides are confident that a resolution of this matter  
12 can be met within the extended deadlines.

13  
14 Based upon the foregoing, the parties respectfully request a ninety (90) day extension of  
15 all current discovery deadlines. The parties are confident that a granting of the request for a  
16 ninety (90) day extension of the remaining discovery deadlines would allow them to complete  
17 the required discovery. The parties have further agreed to extend the initial expert deadline thirty  
18 (30) additional days within the extension as it would fall on Christmas Eve with the ninety (90)  
19 day extension. This request is made in good faith, not for the purpose of delay.

20 **IV. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY.**

21 This request for an extension of time is not sought for any improper purpose or other  
22 purpose of delay. The parties respectfully submit that this constitutes good cause for the  
23 extension. The following is a list of the current discovery deadlines and the parties' proposed  
24 extended deadlines:

<u>Scheduled Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Discovery Cut Off	December 24, 2023	<b>March 23, 2024</b>
Amend Pleadings/Add Parties	September 25, 2023	<b>December 24, 2023</b>
Initial Expert Disclosures	September 25, 2023	<b>January 24, 2024</b>

