

1 John R. Hanson, Esq.
 Nevada State Bar No. 13141
 2 **WORTHE HANSON & WORTHE**
 3 A Law Corporation
 1851 E First Street, Suite 860
 4 Santa Ana, CA 92705
 Telephone (714) 285-9600
 5 Facsimile (714)285-9700
 6 E-Mail: jhanson@whwlawcorp.com
 7 Attorneys for Defendant, THE STANDARD FIRE INSURANCE COMPANY

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

10 ALISON MULLANEY, an Individual.

CASE NO.: 2:23-cv-01530-JAD-BNW

11 Plaintiff,

12 v.

13 THE TRAVELERS INDEMNITY
 14 COMPANY, a foreign Corporation;
 DOES I through X, inclusive; and ROE
 15 CORPORATIONS I through X,
 16 inclusive.

**STIPULATION AND ORDER TO
 EXTEND DEFENDANT’S CLAIMS
 EXPERT REPORT SUBMISSION
 BY 14 DAYS.**

3RD REQUEST

17 Defendants.
 18

19
 20 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
 21 Alison Mullaney (“Plaintiff”), and Defendant The Travelers Indemnity Company
 22 (“Defendant”) by and through their undersigned counsel of record, stipulate to
 23 extend the un-expired expert disclosure date by 14 days as to defendant’s claims
 24 expert James Schratz. This stipulation is made in good faith and not for purposes of
 25 delay.

26 **I. DISCOVERY COMPLETED**

27 1. On October 16, 2023, the parties participated in a Rule 26(f)
 28 conference.

1 2. On November 17, 2023, Plaintiff served her first set of requests for
2 admission, requests for production of documents, and interrogatories to Defendant,
3 and Defendant served its responses to each on January 2, 2023.

4 3. On December 26, 2023, Plaintiff served her initial disclosures.

5 4. On January 10, 2024, Defendant served its initial disclosures.

6 5. On February 13, 2024, Plaintiff conducted the deposition of Valerie Vo,
7 who was designated as the FRCP 30(b)(6) representative for certain topics of
8 Defendant. The parties agreed that Defendant would produce Mary C. Liparulo,
9 RN, as a witness to address the additional topics contained within the FRCP 30(b)(6)
10 deposition notice at a later date.

11 6. On March 7, 2024, Defendant served their first set of requests for
12 requests for production of documents, and interrogatories to Plaintiff, and Plaintiff's
13 responses are due on April 8, 2024.

14 7. On March 7, 2024, Defendant served their Notice Of Taking Remote
15 Deposition Of Plaintiff, Alison Mullaney.

16 8. On March 7, 2024, Defendant served their Notice Of Taking Remote
17 Deposition Of Plaintiff's Retained Expert Of Dr. Raimundo Leon Pursuant To
18 Deposition Subpoena And Request For Production Of Documents At Time Of
19 Deposition. Dr. Leon's deposition was completed on April 1, 2024.

20 9. On March 5, 2024, Plaintiff's served her first supplement to initial
21 disclosures.

22 **II. DISCOVERY THAT REMAINS TO BE COMPLETED AND**
23 **REASONS SUPPORTING THE REQUESTED EXTENSION**

- 24 1. Deposition of Plaintiff;
25 2. Deposition of Mary C. Liparulo, RN;
26 3. Deposition of Plaintiff's medical providers;
27 4. The parties will take the depositions of any and all other necessary
28 witnesses as determined through discovery. The parties are coordinating on

1 scheduling those depositions, along with any others;

2 5. The parties will issue and respond to any necessary additional written
3 discovery; and

4 6. Any additional discovery as needed.

5 The reason for the requested extension arises from the inadvertent mis-
6 calendaring of the disclosure date by the defense claims expert.

7 On April 30, 2024, defense counsel wrote to Schratz reminding him
8 disclosures were due on May 1, 2024. (Accompanying declaration of John R.
9 Hanson.) Mr. Schratz responded that his office didn't have the date calendared and
10 he was on his way to testify at a trial in Seattle. He advised that if defendant could
11 secure a two week extension, he could get the report complete.

12 Schratz was retained on January 10, 2024 and the file documents, claims notes
13 and policy were forwarded to him then on that date. (Accompanying declaration of
14 John R. Hanson.)

15 On April 30, 2024, defense counsel left a phone message advising plaintiff's
16 counsel that the above had occurred. Defense counsel also sent an email to that
17 effect. On May 1, 2024, the date set by the Court for Rule 26 expert disclosures,
18 defense counsel received an email from Mr. Gutierrez, counsel for plaintiff. Counsel
19 stated, "[w]e are planning on getting our expert disclosures filed today. We are fine
20 if you need two weeks to get your expert report submitted but we want to ensure that
21 your expert does not review our expert report beforehand." (Accompanying
22 declaration of John R. Hanson.) As part of this stipulation, defendant and defense
23 counsel agree that no person associated with the defense of this action will review
24 plaintiff's claims expert's Rule 26 report unless and until the defense has timely
25 disclosed Mr. Schratz's report to plaintiffs. Defense counsel will ask his assistant to
26 segregate the expert report from the balance of any Rule 26 expert disclosures and
27 to keep it filed separately until Schratz has submitted his report.

28 ///

1
2 purpose of addressing the unforeseen calendar error to which Mr. Schratz refers.
3 The parties respectfully and mutually submit that the reasons set forth above
4 constitute compelling reasons for their requested extension.

5
6 DATED this __ day of May, 2024.

DATED this __ day of May, 2024.

7 **MAIER GUTIERREZ & ASSOCIATES**

WORTHE HANSON & WORTHE

8 */s/ Joseph A. Gutierrez, Esq.*

/s/ John R. Hanson, Esq

9 _____
10 JOSEPH A. GUTIERREZ, ESQ.
11 Nevada Bar No. 9046
12 STEPHEN G. CLOUGH, ESQ.
Nevada Bar No. 10549
8816 Spanish Ridge Avenue
Las Vegas, Nevada 89148
Attorneys for Plaintiff Alison Mullaney

JOHN R. HANSON, ESQ.
Nevada Bar No. 13141
1851 East First Street, Suite 860
Santa Ana, California 92705
Attorneys for Defendant

13
14
15 **ORDER**

16 **IT IS SO ORDERED.**

17
18 DATED: May 2, 2024

19 
20 _____
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28

SERVICE LIST

Mullaney v. The Travelers Indemnity Company, et al.
USDC Case No. 2:23-cv-01530-JAD-BNW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Joseph A. Gutierrez, Esq.
Stephen G. Clough, Esq.
Maier Gutierrez & Associates
8816 Spanish Ridge Avenue
Las Vegas, NV 89148
Office: (702) 629-7900
Fax: (702) 629-7925
E-Mail: jag@mgalaw.com; sgc@mgalaw.com
ATTORNEYS FOR PLAINTIFF, ALISON MULLANEY

WORTHE, HANSON & WORTHE
1851 EAST FIRST ST., SUITE 860
SANTA ANA, CALIFORNIA 92705
TELEPHONE: (714) 285-9600

1 John R. Hanson, Esq.
 Nevada State Bar No. 13141
 2 **WORTHE HANSON & WORTHE**
 3 A Law Corporation
 1851 E First Street, Suite 860
 4 Santa Ana, CA 92705
 Telephone (714) 285-9600
 5 Facsimile (714)285-9700
 6 E-Mail: jhanson@whwlawcorp.com
 7 Attorneys for Defendant, THE STANDARD FIRE INSURANCE COMPANY

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

10 ALISON MULLANEY, an Individual.

CASE NO.: 2:23-cv-01530-JAD-BNW

11 Plaintiff,

12 v.

**DECLARATION OF JOHN R.
 HANSON IN SUPPORT OF THE
 STIPULATION AND ORDER TO
 EXTEND DEFENDANT’S CLAIMS
 EXPERT DISCLOSURE BY 14
 DAYS**

13 THE TRAVELERS INDEMNITY
 14 COMPANY, a foreign Corporation;
 DOES I through X, inclusive; and ROE
 15 CORPORATIONS I through X,
 16 inclusive.

17 Defendants.

THIRD REQUEST

18
 19
 20 I, JOHN R. HANSON DECLARE AS FOLLOWS:

21 1. I am an attorney at law duly licensed to practice before all the Courts
 22 in the State of Nevada, and a partner in the law firm of Worthe Hanson & Worthe,
 23 a Law Corporation, attorneys of record for Defendant, THE STANDARD FIRE
 24 INSURANCE COMPANY. As such, I have personal knowledge of the file,
 25 pleadings and facts stated herein. If called upon as a witness, I could and would
 26 competently testify to the following:

27 2. On April 30, 2024, I wrote to defense expert James Schratz,
 28 reminding him Rule 26 reports were due on May 1, 2024.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SERVICE LIST

Mullaney v. The Travelers Indemnity Company, et al.
USDC Case No. 2:23-cv-01530-JAD-BNW

Joseph A. Gutierrez, Esq.
Stephen G. Clough, Esq.
Maier Gutierrez & Associates
8816 Spanish Ridge Avenue
Las Vegas, NV 89148
Office: (702) 629-7900
Fax: (702) 629-7925
E-Mail: jag@mgalaw.com; sgc@mgalaw.com
ATTORNEYS FOR PLAINTIFF, ALISON MULLANEY

WORTHE, HANSON & WORTHE
1851 EAST FIRST ST., SUITE 860
SANTA ANA, CALIFORNIA 92705
TELEPHONE: (714) 285-9600