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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 JEAN PIERRE-DUSSAUBAT, JR.,) Case No.: 2:23 -cv-01647-JCM-DJA
19 individually;)
20)
21 Plaintiff,)
22)
23 vs.)
24)
25 KEY INSURANCE COMPANY, a foreign)
26 corporation; EARL MCFARLANE, an)
27 individual; DOES I-V; and ROE)
28 CORPORATIONS VI-X, inclusive,)
Defendants.)
_____)

29 **STIPULATED JOINT DISCOVERY PLAN AND SCHEDULING ORDER**
30 **PURSUANT TO FRCP 26(f) AND LOCAL RULE 26-1(b)**

31 Plaintiff, JEAN PIERRE-DUSSAUBAT, JR., by and through his attorneys, CRAIG W.
32 DRUMMOND, ESQ., and LIBERTY A. PARDEE, ESQ., of DRUMMOND LAW FIRM, and
33 Defendant KEY INSURANCE COMPANY, by and through its attorneys of record, PHILIP
34 GOODHART, ESQ. of THORNDAL ARMSTRONG, PC, hereby respectfully submit their
35 Stipulated Discovery Plan and Scheduling Order pursuant to FRCP 26(f) and Local Rule 26-1(b).

1 Deadlines that fall on a Saturday, Sunday, or legal holiday have been scheduled for the next
2 judicial day.

- 3 **A. FRCP 26(f) Meeting:** Pursuant to FRCP 26(f) and LR 26-1(a), the parties
4 conferred by telephone on November 6, 2023 at 11:00 a.m. and was attended by:
5 Liberty A. Pardee, Esq., of the Drummond Law Firm, on behalf of the Plaintiff, and
6 Philip Goodhart, Esq. of Thorndal Armstrong, PC on behalf of the Defendant Key
7 Insurance Company.
- 8 **B. Initial Disclosures:** Pursuant to FRCP 26(a)(1), the parties will make their pre-
9 discovery disclosures, including any and all information required by FRCP 26(a)(1)
10 on or before December 6, 2023.
- 11 **C. Discovery Plan:** Discovery does not need to be conducted in phases. The parties
12 jointly proposed the following discovery plan:
- 13 a. **Subject of Discovery:** Discovery will be needed on the following subjects: All
14 claims set forth in Plaintiff’s Complaint and Defendant’s defenses asserted
15 thereto.
- 16 b. **Discovery Cut-Off Date(s):** Discovery will take 180 days, measured from the
17 date Defendant filed its Answer to Plaintiff’s Complaint, **December 12, 2023**.
18 Therefore, all discovery must be completed by **Monday, June 10, 2024**.¹
- 19 c. **Amending the Pleadings and Adding Parties:** The date of filing motions to
20 amend pleadings or to add parties shall not be later than 90 days prior to the
21 close of discovery. In this action, the last date to file motions to amend the
22 pleadings or add parties shall be **Monday, March 11, 2024**.
- 23 d. **FRCP 26(a)(2) Disclosures (Experts):** The last day to disclose expert
24 witnesses shall be 60 days before the discovery cut-off date. In this action, the
25 last date to disclose experts shall be **Wednesday, April 10, 2024**. The date of
26 the disclosure of rebuttal expert witnesses shall be 30 days after the initial
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¹ The 180 deadline falls on Sunday, June 9, 2024.

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disclosure of experts. In this action, the last date to disclose rebuttal experts shall be **Friday, May 10, 2024**.

e. **Dispositive Motions**: The last date to file dispositive motions shall not be later than 30 days after the discovery cut-off date. In this action, the last date to file dispositive motions shall be **Tuesday, July 9, 2024**.

f. **Pretrial Order**: The Joint Pretrial Order shall be filed no later than 30 days after the date set for filing dispositive motions. In this action, the joint pretrial order shall be filed on or before **Thursday, August 8, 2024**. If dispositive motions are timely filed, the date for filing the Joint Pretrial Order shall be suspended.

g. **FRCP 26(a)(3) Disclosures**: The disclosures required by FRCP 26(a)(3) and any objections thereto shall be included in the Joint Pretrial Order.

h. **Alternative-Dispute Resolution**: The parties certify that they met and conferred about the possibility of using alternative-dispute resolution processes including mediation, arbitration, and if applicable, early neutral evaluation pursuant to LR 26-1(b)(7).

i. **Alternative Forms of Case Disposition**: The parties certify that they considered and did not consent to trial by magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01).

j. **Electronic Evidence**: The parties certify that they discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. The parties will enter into stipulations before trial about providing discovery in an electronic format compatible with the Court’s electronic jury evidence display system.

D. Consent to Service by Electronic Means through Electronic Mail: The undersigned, on behalf of Plaintiff, hereby consents to service of documents by electronic means, via electronic mail and/or facsimile, and/or by U.S. mail. The

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undersigned, on behalf of Defendant, consents to service of documents by electronic means, via electronic mail and/or facsimile, and/or by U.S. mail.

- 1. Plaintiff's Attorneys: Drummond Law Firm
E-Service Addresses: craig@drummondfirm.com
liberty@drummondfirm.com
joey@drummondfirm.com
Facsimile Number: (702) 508-9440
- 2. Defendant's Attorneys: Thorndal Armstrong
E-service addresses: png@thorndal.com
Facsimile Number (702) 366-0327

The undersigned also acknowledge that this consent does not require service by electronic means unless the serving party elects to do so.

DRUMMOND LAW FIRM THORNDAL ARMSTRONG
DATED this 18th day of December, 2023. DATED this 18th day of December, 2023.

By /s/ Craig W. Drummond, Esq. By /s/ Philip Goodhart, Esq.
Craig W. Drummond, Esq. Philip Goodhart, Esq.
Nevada Bar No. 11109 Nevada Bar No. 5332
Liberty A. Pardee (Ringor), Esq. 1100 East Bridger Avenue
Nevada Bar No. 14417 Las Vegas, Nevada 89101
Joseph A. Tutone, Esq. *Attorney for Defendant*
Nevada Bar No. 16333
3325 W. Sahara Avenue
Las Vegas, Nevada 89102
Attorneys for Plaintiff

ORDER

1. The discovery cut-off shall be **Monday, June 10, 2024**.
2. Amending the Pleadings and Adding Parties. The last date for filing motions to amend pleadings or to add parties shall not be later than 90 days prior to the close of discovery. In this action, the last date to file motions to amend the pleadings or add parties shall be **Monday, March 11, 2024**.
3. FRCP 26(a)(2) Disclosure (Experts). The last day to disclose expert witnesses shall be 60 days before the discovery cut-off date. In this action, the last date to disclose experts shall be **Wednesday, April 10, 2024**. The date for the disclosure of rebuttal expert witnesses shall be 30 days after the initial disclosure of experts. In this action, the last date to disclose rebuttal experts shall be **Friday, May 10, 2024**.
4. Dispositive Motions. The last date to file dispositive motions shall not be later than 30 days after the discovery cut-off date. In this action, the last date to file dispositive motions shall be **Tuesday, July 9, 2024**.
5. Joint Pretrial Order. The Joint Pretrial Order shall be filed no later than 30 days after the date set for filing dispositive motions. In this action, the joint pretrial order shall be filed on or before **Thursday, August 8, 2024**.
6. FRCP 26(a)(3) Disclosures. The disclosures required by FRCP 26(a)(3) and any objections thereto shall be included in the Joint Pretrial Order.

IT IS SO ORDERED.



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: December 20, 2023

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of December, 2023, the undersigned served the foregoing **STIPULATED JOINT DISCOVERY PLAN AND SCHEDULING ORDER PURSUANT TO FRCP 26(f) and LOCAL RULE 26-1(b)** on all counsel herein by causing a true copy to be served via the CM/ECF system, which was served via electronic transmission.

THORNDAL ARMSTRONG
Philip Goodhart, Esq.
1100 E. Bridger Avenue
Las Vegas, Nevada 89101
Attorney for Defendant

/s/ Teri Boykin
An Employee of Drummond Law Firm