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 7 *State Farm Fire and Casualty Company*

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

11 NORMA MCGRATH, individually,  
 12 Plaintiff,

13 vs.

14 STATE FARM MUTUAL AUTOMOBILE  
 INSURANCE COMPANY; DOE  
 15 INDIVIDUALS 1-20, inclusive; and ROE  
 CORPORATIONS 1-20, inclusive  
 16 Defendants.  
 17

CASE NO: 2:23-cv-01748 -ART-VCF

**JOINT DISCOVERY PLAN AND  
 SCHEDULING ORDER**  
**SPECIAL REVIEW REQUESTED**

18 Plaintiff, NORMA MCGRATH (“Plaintiff”), by and through her counsel of record Steve  
 19 Dimopoulos, Esq. and Michael L. Shirts, Esq. of DIMOPOULOS INJURY LAW, and Defendant,  
 20 STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, by and through its counsel of  
 21 record, M. Caleb Meyer, Esq. and Renee M. Finch, Esq., of MESSNER REEVES, LLP, submit the  
 22 following Joint Discovery Plan and Scheduling Order (“Plan”). The parties conducted a discovery  
 23 planning conference on December 8, 2023, and submit the discovery plan for review and approval. The  
 24 date Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY appeared by  
 25 filing an Answer was November 21, 2023.

26 The standard discovery plan would end discovery on May 20, 2024, with initial expert  
 27 disclosures due on March 21, 2024 and rebuttal experts due on April 22, 2024. Given the nature of this  
 28 matter, the parties are requesting special review to extend these standard deadlines as demonstrated

1 below. This matter involves allegations of bad faith and thus necessitates corporate discovery to include  
2 in-depth written discovery responses and corporate designee deposition(s). The parties are in the process  
3 of negotiating an applicable protective order and confidentiality stipulation that will require agreement  
4 prior to the disclosure of corporate policies and procedures. The claims file contains over 1,000 pages  
5 that will require redaction and the creation of an appropriate privilege log. For the parties to adequately  
6 prepare their claims and defenses related to the bad faith allegations, all the appropriate documents must  
7 be disclosed, reviewed, and sent to various experts. Plaintiff will request various corporate documents  
8 that will have to be internally identified and properly redacted prior to production. Typically, production  
9 of internal confidential and proprietary claims documents can include documents in the thousands of  
10 pages. This portion of the file alone is anticipated to take several months.

11 Further, both parties seek to identify and retain expert witnesses in preparation for the trial in  
12 this matter. Given that the expert disclosure dates are fast approaching on the standard schedule, both  
13 parties anticipate that there will be a request for additional time. To avoid a future request of that nature,  
14 the parties have agreed to submit a plan that contemplates nine (9) months of discovery instead of the  
15 standard six (6) month timeframe.

16 1. **Changes in the timing, form or requirements for Rule 26(a) Disclosures:** The parties  
17 have agreed the Rule 26(f) disclosure deadline is January 5, 2024.

18 2. **Subjects on which discovery may be made:** The parties envision propounding written  
19 discovery, disclosing policies and procedures pursuant to protective order, conducting depositions of  
20 treating physicians, parties, corporate 30(b)(6) designees, and disclosed experts, and obtaining all  
21 relevant records through use of subpoena. The parties also may conduct further discovery as may be  
22 allowed under the Federal Rules of Civil Procedure relating to the allegations set forth in Plaintiff's  
23 Complaint and Defendant's Answer.

24 3. **Changes to limitations on discovery:** None.

25 4. **Discovery of electronically stored information:** The parties have implemented  
26 litigation holds and taken other reasonable measures to preserve relevant documents, including  
27 electronically stored information ("ESI"), that are maintained in locations and systems where such  
28 relevant information is likely to be found in accordance with the Rules.





**From:** Michael Shirts <ms@stevedimopoulos.com>  
**Sent:** Wednesday, January 3, 2024 10:30 AM  
**To:** Rhonda Onorato <ROnorato@messner.com>; Kenia Gutierrez Checchi <kg@stevedimopoulos.com>  
**Cc:** Kim Shonfeld <kshonfeld@messner.com>; Renee Finch <rfinch@messner.com>; Michelle Ordway <mordway@messner.com>  
**Subject:** RE: 10685.0033 - McGrath v. SFMAIC - Joint Discovery Plan and Scheduling Order  
**[ EXTERNAL EMAIL ]**

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You can affix my e-signature. Thanks!



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**From:** Rhonda Onorato <[ROnorato@messner.com](mailto:ROnorato@messner.com)>  
**Sent:** Tuesday, January 2, 2024 9:08 AM  
**To:** Kenia Gutierrez Checchi <[kg@stevedimopoulos.com](mailto:kg@stevedimopoulos.com)>; Michael Shirts <[ms@stevedimopoulos.com](mailto:ms@stevedimopoulos.com)>  
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**Subject:** 10685.0033 - McGrath v. SFMAIC - Joint Discovery Plan and Scheduling Order

Attached you will find the proposed Joint Discovery Plan and Scheduling Order for your review and approval. Once you have reviewed, and if you have no revisions, please provide approval for use of your e-signature. Thank you.

**RHONDA ONORATO**

Paralegal

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