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10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 PHILIP ROBERT REYNOLDS, JOHN
 13 BRIGHAM LAWSON,

14 Plaintiff,

15 v.

16 WAL-MART TRANSPORTATION, LLC;
 17 MICHAEL MURRY; DOES I-X, inclusive,
 and ROE CORPORATIONS I-X, inclusive,

18 Defendant.

CASE NO.: 2:23-cv-02020-APG-BNW

**DISCOVERY PLAN AND
 SCHEDULING ORDER**

SPECIAL SCHEDULING
 REVIEW REQUESTED

19
 20 Pursuant to Local Rule 26-1(b), the parties submit their proposed Discovery Plan
 21 and Scheduling Order. Deadlines that fall on a Saturday, Sunday, or legal holidays have
 22 been scheduled for the next judicial day.

23
 24 1. Meeting: Pursuant to FRCP Rule 26(f), a meeting was held on January 25, 2024
 25 and was attended by Millie Mummery, Esq. of DE CASTROVERDE LAW GROUP for
 26 Plaintiff and Bruce Dickinson, Esq. of the THORNDAL ARMSTRONG, PC for Defendant.
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 28

1 2. Pre-Discovery Disclosures: Pursuant to FRCP Rule 26(a)(1), the parties will
2 make their pre-discovery disclosures, including but not limited to any Computation(s) of
3 damages, required pursuant to FRCP 26(a)(i)(A)(iii), by February 2, 2024. Plaintiff is to
4 provide Defendant signed authorizations within thirty days of being served upon Plaintiff.

5 3. Areas of Discovery: The parties agree that the areas of discovery should include,
6 but not be limited to: all claims and defenses allowed pursuant to the Federal Rules of
7 Civil Procedure.
8

9 4. The parties request Special Scheduling Review. Additional time is needed
10 to prepare for litigation and participate in Rule 30(b)(6) depositions that may be
11 necessary. The parties anticipates needing more time for discovery because they were
12 pending the court's decision on the motion to remand until January 17, 2024, there are
13 multiple plaintiffs, and an additional defendant (the newly identified driver) is going to be
14 added to the case through an amended complaint.
15

16 5. Discovery Plan:

17 A. The parties propose the following discovery plan:

- 18
- | | |
|---|-------------------|
| 19 1. Discovery cut off: | October 10, 2024 |
| 20 2. Filing motions to amend: | July 10, 2024 |
| 21 3. Initial expert disclosure: | July 10, 2024 |
| 22 4. Rebuttal expert disclosure: | August 9, 2024 |
| 23 5. Dispositive motions: | November 11, 2024 |
- 24

25 B. Amending the Pleadings and Adding Parties: The parties shall have until
26 July 10, 2024, to file any motions to amend the pleadings to add parties. This is 92 days
27 before the discovery cut-off date.
28

1 C. FRCP 26(a)(2) Disclosure of Experts: Disclosure of experts shall proceed
2 according to FRCP Rule 26(a)(2) and LR 26-1(e)(3) as follows: The disclosures of experts
3 and their initial reports shall occur on or before July 10, 2024. The disclosure of rebuttal
4 experts and their initial reports shall occur on or before August 9, 2024. These deadlines
5 are 92 and 62 days before the discovery cut-off date, respectively.
6

7 D. Interim Status Report: The parties shall file the interim status report by
8 August 12, 2024, 60 days before the discovery cut-off date, as required by LR 26-3.

9 E. Dispositive Motions: The parties shall have until November 11, 2024 to
10 file dispositive motions. This is 31 days after the discovery cut-off date, as required by
11 LR-26-1 (b)(4).
12

13 F. Pre-Trial Order: The parties will prepare a Consolidated Pre-Trial Order
14 on or before December 11, 2024, which is not more than 30 days after the date set for
15 filing dispositive motions in the case, as required by LR 26-1 (b)(4). This deadline will be
16 suspended if dispositive motions are timely filed until 30 days after the decision of the
17 dispositive motions or until further order of the Court. The disclosure required by FRCP
18 Rule 26(a)(3), and objections thereto, shall be made in the pre-trial order.
19

20 G. If the Court has questions regarding the dates proposed by the parties,
21 the parties request a conference with the Court before entry of the Scheduling Order. If
22 the Court does not have questions, the parties do not request a conference with the Court.
23

24 H. Extensions or Modifications of the Discovery Plan and Scheduling Order:
25 LR 26-4 governs modifications or extensions of this Discovery Plan and Scheduling
26 Order. Any stipulation or motion to extend a deadline set forth in the discovery plan and
27 scheduling order must be made no later than 21 days before the subject deadline. Any
28

1 stipulation or motion to extend the discovery cut-off period must be made no later than
2 September 19, 2024, 21 days before the discovery cut-off date.

3 I. Format of Discovery: Pursuant to the electronic discovery amendments to
4 the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed
5 the e-discovery issues pertaining to the format of discovery at the Rule 26(f) conference.
6 The parties do not anticipate discovery of native files or metadata at this time, but each
7 party reserves the right to make a showing for the need of such electronic data as
8 discovery progresses. The parties certify that they may present evidence in electronic
9 format to jurors for the purposes of jury deliberation in compliance with the Court's
10 electronic jury evidence display system.
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J. Mediation: The parties discussed possible mediation after some discovery is completed, as required by LR 26-1(b)(7). The parties also discussed the possibility of trial by magistrate judge, as required by LR-26-1(b)(8).

DATED this 21st day of February, 2024.

DATED this 21st day of February, 2024

DE CASTROVERDE LAW GROUP

THORNDAL ARMSTRONG

By: /s/Millie Mummery
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By: /s/Bruce Dickinson
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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: 2/22/2024

Solange Cardenas

From: Bruce S. Dickinson <bsd@thorndal.com>
Sent: Wednesday, February 21, 2024 2:35 PM
To: Solange Cardenas; Star Farrow-Plewnarz
Cc: Krisanne Steele-Fetcho; Millie Mummery; Kimberly Valentin; Patricia Anaya Navas
Subject: RE: WM adv Reynolds Discovery Scheduling Order

CAUTION: This email originated from outside of the organization. Be cautious when opening attachments or clicking links.

I am good with the Discovery Scheduling Order. Ok to e-sign for me and submit to the court.

Bruce

From: Solange Cardenas <Solange@dlgteam.com>
Sent: Wednesday, February 21, 2024 2:09 PM
To: Bruce S. Dickinson <bsd@thorndal.com>; Star Farrow-Plewnarz <sfp@thorndal.com>
Cc: Krisanne Steele-Fetcho <ksf@thorndal.com>; Millie Mummery <Millie@dlgteam.com>; Kimberly Valentin <kimberly@dlgteam.com>; Patricia Anaya Navas <Patricia@dlgteam.com>
Subject: RE: WM adv Reynolds Discovery Scheduling Order

Good afternoon Counsel,

Please see the revised Discovery Plan and Scheduling Order here attached for your review. Let us know if this version is approved to be submitted for Court's review.

Thank you!



Solange Cardenas

Case Manager

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