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6
 7 UNITED STATES DISTRICT COURT
 8 FOR THE SOUTHERN DISTRICT OF NEVADA
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10 FIREMAN’S FUND INSURANCE COMPANY,)
 a California corporation,)
 11 vs.)
 12 SLOAN VALVE COMPANY,)
 a Delaware corporation, and DOES 1-30,)
 13 inclusive,)
 14)
 15 Defendants.)
 16)

CASE NO. 2:10-cv-01816-RLH-LRL

SPECIAL SCHEDULING REVIEW
REQUESTED

NOT IN COMPLIANCE

17 **STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER**

18 Defendant, SLOAN VALVE COMPANY, by and through its attorneys of record, Brian W.
 19 Goldman, Esq., Pyatt Silvestri & Hanlon, and Plaintiff, FIREMAN’S FUND INSURANCE
 20 COMPANY, by and through its attorney of record, Gilbert Hernandez, Esq., Cozen O’Connor hereby
 21 submit the following Stipulated Discovery Plan and Scheduling Order (“Plan”). This Plan is
 22 submitted in compliance with U.S.D.C. LR 26-1(e).

23 The Fed.R.Civ.P. Rule 26(f) conference was held on December 1, 2010. Gilbert Hernandez,
 24 Esq. appeared on behalf of Plaintiff, and Brian W. Goldman, Esq. appeared on behalf of Defendant.
 25 No documents were provided by any of the parties at the time of the Rule 26(f) conference. Pursuant
 26 to Fed.R.Civ.P. Rule 26(a)(1)(C), Plaintiff and Defendant shall serve initial disclosure statements
 27 and documents on or before December 15, 2010.

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1 **DISCOVERY PLAN**

2 IT IS HEREBY STIPULATED AND AGREED between the parties, by and through their
3 counsel of record, that, unless application is made pursuant to U.S.D.C. LR 26-4, the following
4 deadlines shall apply in this case concerning all discovery matters:

5 **1. Discovery Cut-Off Date:**

6 Defendant answered the Complaint on October 22, 2010. This matter involves a water
7 loss/flood event in a commercial structure resulting in alleged damages in excess of \$2,800,000.00.
8 Due to the nature and extent of Plaintiff's allegations, Defendant intends to conduct an extensive
9 amount of discovery including the issuance of a large number of subpoenas. Due to the anticipated
10 delay in securing all of the relevant documents during the 2010 holiday season, counsel for the
11 parties respectfully request that the Discovery Cut-Off Date be set approximately 180 days from the
12 date of the filing of this Plan, or **June 3, 2011**.

13 **2. Amending the Pleadings and Adding Parties:**

14 The last date to file all motions seeking leave to amend the pleadings or to add parties shall
15 be not later than ninety (90) days prior to the close of discovery, or, **March 4, 2011**.

16 **3. Federal Rule of Civil Procedure 26(a)(2) Disclosures (Experts):**

17 The last date for parties to disclose any expert they wish to call pursuant to Fed.R.Civ.P. Rule
18 26(a)(2) shall be not later than sixty (60) days prior to the discovery cut-off date, or **April**
19 **1, 2011**

20 All rebuttal experts shall be disclosed within thirty (30) days after the initial disclosures of
21 experts, or, **May 2, 2011**

22 **4. Dispositive Motions:**

23 All dispositive motions shall be filed within thirty (30) days after the discovery cut-off date,
24 or **July 5, 2011**

25 **5. Pretrial Order:**

26 The joint pretrial order shall be filed with the Court no later than thirty (30) days after the
27 date set for filing dispositive motions. In the event dispositive motions are filed, the date for filing

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1 the joint pretrial order shall be suspended until thirty (30) days after decision of the dispositive
2 motions or further order of the Court.

3 **6. Federal Rule of Civil Procedure 26(a)(3) Disclosures:**

4 All disclosures required by Fed.R.Civ.P. Rule 26(a)(3) and any objections thereto shall be
5 included in the pretrial order submitted pursuant to Paragraph 5 above. Said disclosures, and any
6 objections thereto, must be made and implemented into the pretrial order no later than set forth in
7 Paragraph 5 above.

8 IT IS FURTHER STIPULATED AND AGREED between the parties, through their
9 respective counsel of record:

10 **1. Changes That Should Be Made in the Timing, Form, or Requirement for**
11 **Disclosures Under Rule 26(a), Including a Statement as to When Disclosures Under Rule**
12 **26(a)(1) Were Made or Will Be Made:**

13 No changes. Disclosures will be made on or before December 15, 2010.

14 **2. Subjects on Which Discovery May Be Needed, When Discovery Should Be**
15 **Completed, and Whether Discovery Should Be Conducted in Phases or Be Limited to or**
16 **Focused Upon Particular Issues:**

17 Discovery shall be completed as stated above. Discovery shall not be conducted in phases.
18 Discovery shall not be limited in scope.

19 **3. Changes That Should Be Made in the Limitations on Discovery Imposed Under**
20 **These Rules or by Local Rule, and What Other Limitations Should Be Imposed:**

21 N/A.

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1 **4. Any Other Orders That Should Be Entered by the Court Under Rule 26(c) or**
2 **Under Rule 16(b) and (c):**

3 N/A.

4 DATED this 6th day of December, 2010.

5 COZEN O'CONNOR

PYATT SILVESTRI & HANLON

6
7 /s/ Gilbert Hernandez
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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 12-16-10