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2 **UNITED STATES DISTRICT COURT**  
3 **DISTRICT OF NEVADA**

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6 WILLIAM TERRELL, *et al.*,

7 Plaintiffs,

2:11-cv-00142-APG-VCF

8 vs.

9 CENTRAL WASHINGTON ASPHALT, INC., *et*  
10 *al.*,

**ORDER**

11 Defendants.

12 Before the court is the CWA Defendants' Emergency Motion for a Protective Order Vacating the  
13 Notice of Deposition of Kevin Kirkendall or, Alternatively, Staying the Deposition Pending Resolution  
14 of the Emergency Motion. (#334). The court held a hearing on October 10, 2014 and heard  
15 representations from the parties.

16 The parties are advised to work out among themselves the details and order of the expert  
17 depositions. On September 22, 2014, the parties were ordered to file a stipulation by October 13, 2014  
18 setting a schedule to complete depositions by December 15, 2014. (#325). CWA Defendants request to  
19 extend the date to file the stipulation to October 15, 2014. The request to file the stipulation regarding  
20 deposition schedules by October 15, 2014 is granted. If the parties are not able to agree on a date for  
21 Kevin Kirkendall's deposition, the stipulation must provide dates on which his deposition may be  
22 scheduled before and after Mr. Johnson's deposition. If the parties cannot agree regarding Kevin  
23 Kirkendall's deposition date, when approving the stipulation, the court will order one of the available  
24 dates.  
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1 CWA Defendants also seek to file a motion to reopen discovery based on the new allegation in  
2 the amended complaint. The parties have agreed to shorten the briefing schedule on the motion to  
3 reopen discovery.

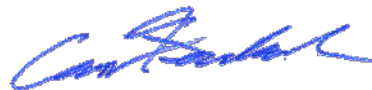
4 Accordingly,

5 IT IS HEREBY ORDERED that CWA Defendants' Emergency Motion for a Protective Order  
6 Vacating the Notice of Deposition of Kevin Kirkendall or, Alternatively, Staying the Deposition  
7 Pending Resolution of the Emergency Motion (#334) is granted in part and denied in part as set forth  
8 above.

9 IT IS FURTHER ORDERED that the parties must stipulate to a schedule to complete  
10 depositions by December 15, 2015 and that stipulation must be filed by October 15, 2014.

11 IT IS FURTHER ORDERED that if CWA Defendants file a motion to reopen discovery based  
12 on the new allegation in the amended complaint, that motion must be filed by October 15, 2014. Any  
13 opposition to the motion to reopen discovery must be filed by October 25, 2014. The reply in support of  
14 the motion to reopen discovery must be filed by October 30, 2014.

15 Dated this 10th day of October, 2014.

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17 CAM FERENBACH  
18 UNITED STATES MAGISTRATE JUDGE  
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