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

12 REGINALD HOWARD,
13
14 Plaintiff,
15
16 v.
17
18 S. FOSTER, et al.,
19
20 Defendants.

Case No.: 2:13-cv-01368-RFB-NJK

STIPULATION TO EXTEND
CERTAIN POST-TRIAL DEADLINES
PENDING POSSIBLE RESOLUTION
OF MATTER

(First Request)

21 COME NOW, Plaintiff, Reginald Howard, by and through his attorneys, Margaret A.
22 McLetchie and Alina M. Shell, of the law firm of McLetchie Shell, LLC, along with
23 Defendants, Aaron Dicus, Sean Bloomfield, and Gustavo Sanchez, by and through their
24 attorneys, Adam Paul Laxalt and Frank A. Toddre II, of Nevada Attorney General’s Office,
25 and hereby agree and stipulate to extend certain post-trial deadlines.

26 First, the deadline for Plaintiff to submit a proposed order with underlying
27 documentation as to fees and costs pursuant to 42 U.S.C. § 1988. (ECF No. 142) shall be
28 extended from October 5, 2018 to **November 19, 2018**.

Second, Defendants have filed a Motion for Relief of Judgment under Rule 59 on
October 4, 2018.¹ Plaintiff’s deadline to respond to that Motion shall be extended until
December 18, 2018.

¹ The 28-day deadline put forth in FRCP 59(b) is not waivable as a jurisdictional time limit. As such, the Defendants’ filed this motion to preserve their right to relief while parties were engaged in post-trial discussion for resolution.

1 Third, Defendants have filed an Objection to the Bill of Costs filed by Plaintiff on
2 October 4, 2018. Plaintiff’s reply, if any, to any Objection shall be due on **November 13,**
3 **2018.**

4 This Stipulation is not sought for any improper purpose or other purpose of delay,
5 but in the interest of effectively representing Plaintiff’s interests in this matter. The parties
6 are currently discussing settlement and wish to reduce the accumulation of attorney’s fees.

7 IT IS SO STIPULATED.

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9 DATED this 4th day of October, 2018.

DATED this 4th day of October, 2018.

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11 /s/ Alina M. Shell
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22 Attorneys for Defendants

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19 **ORDER**

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20 IT IS SO ORDERED.

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23 DATED: October 8, 2018.



24 RICHARD F. BOULWARE, II
25 United States District Court

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