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9

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 REGINALD HOWARD,

13 Plaintiff,

14 vs.

15 S. FOSTER, et al.,

16 Defendants.

CASE NO. 2:13-cv-01368-RFB-NJK

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

**(Fifth Request)**

17 Defendants, Sean Bloomfield, Aaron Dicus, and Gustavo Sanchez, by and through  
18 counsel, Attorney General Aaron D. Ford, and Senior Deputy Attorney General Frank A.  
19 Toddre II, of the State of Nevada, Office of the Attorney General, along with Plaintiff  
20 Reginald Howard, by and through his attorneys, Margaret A. McLetchie and Alina M.  
21 Shell, of the law firm McLetchie Law and hereby agree and stipulate to extend certain post-  
22 trial deadlines.

23 First, the deadline for Plaintiff to submit a proposed order with underlying  
24 documentation as to fees and costs pursuant to 42 U.S.C. § 1988. (ECF No. 156) shall be  
25 extended from February 21, 2019 to Monday April 8, 2019.

26 Second, Defendants have filed a Motion for Reconsideration under Rule 59. (ECF No.  
27 145). Plaintiff's deadline to respond to that Motion shall be extended from February 18,  
28 2019 to Monday April 8, 2019.

1 Third, Defendants have filed a Limited Objection to the Bill of Costs filed by Plaintiff  
2 on September 20, 2018 (ECF No. 146). Plaintiff's reply, if any, to any Objection shall be  
3 extended from February 21, 2019 until Monday April 8, 2019.

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

8 The parties are cognizant of this Court's admonishment that it will not continue  
9 these post-judgment deadlines *ad infinitum*. The parties have exchanged the first drafts  
10 of settlement agreements and are finalizing terms as to the stylings of resolution  
11 documents.

12 Additionally, Mr. Howard was transferred to Ely State Prison for a brief amount of  
13 time. During that time, Counsel for Mr. Howard was unable to discuss matters with Mr.  
14 Howard in person. Mr. Howard has since been transferred back to High Desert State  
15 Prison, and Counsel has been able to meet with him in person to discuss a final resolution  
16 of this matter.

17 The parties appear to have resolved outstanding appellate matters relating to  
18 Howard's Appeal in Ninth Circuit Case No. 18-16969 and the possible cross-appeal. Lastly,  
19 Counsel for Defendants will be out of jurisdiction from March 17 until March 22, 2019, and  
20 will not have any access to e-mail or State files.

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1 The parties further note that this stipulation includes an extension of all dates to a  
2 similar forty-five (45) day enlargement rather than the typical thirty (30) day requests from  
3 before. This is done in the hopes that this is indeed the final request for extensions and to  
4 evidence to the Court the parties' confidence in resolution without the necessity of  
5 intervention. Absent exigent circumstances, the parties will not seek any additional  
6 extensions of time.

7 IT IS SO STIPULATED.

8 DATED this 19<sup>th</sup> day of February, 2019.

DATED this 19<sup>th</sup> day of February, 2019.

9 AARON D. FORD  
10 Attorney General

11 /s/ Alina M. Shell

MARGARET A. MCLETCHIE

Nevada Bar No. 10931

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20 *Attorneys for Defendants*

21 **ORDER**

22 IT IS SO ORDERED.

23 DATED: March 28, 2019



24 RICHARD F. BOULWARE, II

25 UNITED STATES DISTRICT JUDGE