

1 Paul T. Trimmer, Bar Number 9291  
 trimmerp@jacksonlewis.com  
 2 **JACKSON LEWIS P.C.**  
 3800 Howard Hughes Parkway, Suite 600  
 3 Las Vegas, Nevada 89169  
 Telephone: (702) 921-2460  
 4 Facsimile: (702) 921-2461

5 Attorneys for Defendants  
*Frias Transportation Management;*  
 6 *Virgin Valley Cab Company, Inc.; Ace Cab, Inc.;*  
*A-N.L.V. Cab Co.; Union Cab Co.; and*  
 7 *Vegas-Western Cab, Inc.*

8  
 9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 TADIOS TESSEMA, INDIVIDUALLY, and  
 as the former UNIT CHAIR of the FRIAS  
 13 TRANSPORTATION BARGAINING  
 UNIT, LOCAL 711A, UNITED STEEL,  
 14 PAPER AND FORESTRY, RUBBER,  
 MANUFACTURING, ENERGY, ALLIED  
 15 INDUSTRIAL AND SERVICE WORKERS  
 INTERNATIONAL UNION,

16 Plaintiff,

17 v.

18 UNITED STEEL, PAPER AND  
 FORESTRY, RUBBER,  
 19 MANUFACTURING, ENERGY, ALLIED  
 INDUSTRIAL AND SERVICE WORKERS  
 20 INTERNATIONAL UNION; LEO W.  
 GERARD; ROBERT LaVENTURE;  
 21 MANUEL ARMENTA; CHRIS  
 YOUNGMARK; ACE CAB, INC.; UNION  
 22 CAB CO.; VEGAS-WESTERN CAB, INC.;  
 A-N.L.V. CAB CO.; VIRGIN VALLEY  
 23 CAB COMPANY, INC.; FRIAS  
 TRANSPORTATION MANAGEMENT,  
 24 DOES I-X and ROES XI-XX,

25 Defendants.

Case No.: 2:13-cv-01782-APG-VCF

**STIPULATION AND ORDER TO EXTEND  
 DISCOVERY AND DISPOSITIVE MOTION  
 DEADLINES**

(Third Request)

26 The parties, by and through their respective counsel of record, hereby stipulate and agree  
 27 as follows:  
 28

1           1.       On June 16, 2014, this Court entered its Order setting out the discovery plan and  
2 scheduling order dates (Dkt. #74).

3           2.       This is the second request by the parties to amend the Court's June 16, 2014  
4 scheduling order.

5           3.       The parties deferred significant discovery until the Court ruled on Defendants  
6 Frias Transportation Management; Virgin Valley Cab Company, Inc.; Ace Cab, Inc.; A-N.L.V.  
7 Cab Co.; Union Cab Co. and Vegas-Western Cab, Inc.'s (hereinafter collectively referred to as  
8 "Frias Defendants") Partial Motion to Dismiss (Dkt. #31), Defendants United Steelworkers, Paper  
9 and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers  
10 International Union; Leo W. Gerard; Robert LaVenture; Manuel Armenta; and Chris  
11 Youngmark's (hereinafter collectively referred to as "Union Defendants") Motion for Partial  
12 Judgment on the Pleadings (Dkt. #47); and Plaintiff Tadios Tessema's (hereinafter referred to as  
13 "Plaintiff") Motion for Expedited Declaratory Relief (Dkt. #37). The Union Defendants  
14 propounded discovery on August 8, 2014.

15           4.       On September 9, 2014, the Court conducted a hearing respecting the  
16                   aforementioned motions and entered its Order (Dkt. #77) on September 17, 2014. The Plaintiff  
17 filed a Motion to Alter or Amend Judgment or in the Alternative Relief from Final Judgment  
18 (Dkt. #78). Union Defendants and Frias Defendants filed their responses on November 4, 2014  
19 (Dkts. #81 and 82, respectively). Plaintiff filed his reply (Dkt. #87) on November 18, 2014.

20           5.       This extension is necessary based on counsels' schedules, the availability of  
21 witnesses, the time needed to complete all reasonable discoveries and the opportunity to consider  
22 the Court's ruling on the Plaintiff's Motion to Alter or Amend Judgment.

23           6.       On March 26, 2015, the Court extended discovery through August 1, 2015. (Dkt.  
24 #95).



1 motions. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order  
2 shall be suspended until thirty (30) days after decision on the dispositive motions or by further  
3 order of the Court.

4 ~~6. Amending the Pleadings and Adding Parties. The last day to file motions to~~  
5 ~~amend pleadings or add parties shall be no later than October 1, 2015 which is not later than sixty~~  
6 ~~(60) days before the close of discovery.~~

7  
8 7. Extensions or Modifications of the Discovery Plan and Scheduling Order. LR  
9 26-4 governs modifications or extensions of this discovery plan and scheduling order. Any  
10 stipulation or motion must be made by November 9, 2015, which is twenty-one (21) days before  
11 the expiration of the subject deadline. All requests for extension shall fully comply with LR 26-4.

1 This stipulation is sought in good faith and not for the purpose of delay. Only one prior  
2 request for an extension of scheduling deadlines has been made.

3 Dated this \_\_\_\_\_ day of July, 2015.

4  
5 LAW OFFICE OF  
DAN WINDER, P.C.

JACKSON LEWIS P.C.

6 /s/ Dan M. Winder  
7 Dan M. Winder  
8 3507 W. Charleston Blvd.  
Las Vegas, Nevada 89102

/s/ Paul T. Trimmer  
Paul T. Trimmer  
3800 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169

9 *Attorneys for Plaintiffs*

*Attorneys for Defendants*  
*Frias Transportation Management;*  
*Virgin Valley Cab Company, Inc.; Ace Cab, Inc.;*  
*A-N.L.V. Cab Co.; Union Cab Co.; and*  
*Vegas-Western Cab, Inc.*

10  
11  
12 GILBERT & SACKMAN,  
A Law Corporation

The time to amend the pleadings and add parties has  
expired and is not extended by this Order.

13 /s/ Joshua F. Young  
14 Joshua F. Young  
15 3699 Wilshire Boulevard, Suite 1200  
Los Angeles, California 90010-2732

16 *Attorneys for Union Defendants*

17  
18  
19 **IT IS SO ORDERED.**

20   
21 \_\_\_\_\_  
JUDGE/MAGISTRATE, U.S. District Court

22 Dated: 7-28-2015  
23 \_\_\_\_\_

24  
25  
26  
27 4828-0424-6566, v. 1