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

10 INSURANCE COMPANY OF THE STATE OF  
11 PENNSYLVANIA,

12 Plaintiff,

13 v.

14 THREE SQUARE, a Nevada non-profit  
corporation; and DOES 1 through 100, inclusive,

15 Defendants.

CASE NO.: 2:14-cv-00344-GMN-CWH

16 **STIPULATION AND ORDER TO EXTEND THE DISCOVERY**  
17 **AND PRE-TRIAL DEADLINES (FOURTH REQUEST)**

18 Defendant THREE SQUARE (“defendant”), by and through its attorneys of record, KYM  
19 SAMUEL CUSHING, ESQ. and RAYMOND E. MCKAY, ESQ. of the law office of WILSON,  
20 ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, and plaintiff INSURANCE COMPANY OF  
21 THE STATE OF PENNSYLVANIA (“plaintiff”), by and through its counsel, JASON P.  
22 WILLIAMS, ESQ. of the LAW OFFICES OF JASON P. WILLIAMS, hereby stipulate to extend all  
23 current discovery and pre-trial deadlines by approximately 60 days.

24 **A. Good Cause Exists for Extending the Discovery and Pre-trial Deadlines**

25 Good cause exists for extending the current discovery and pre-trial deadlines. LR 26-4  
26 provides in pertinent part:

27 *Extension of Scheduled Deadlines.* Applications to extend any date set by  
28 the discovery plan, scheduling order, or other order must, in addition to  
satisfying the requirements of LR 6-1, be supported by a showing of good  
cause for the extension . . .

1 The injured party, Michael Riga, has recently undergone surgery. The parties are still  
2 waiting to receive the complete medical and billing records from Mr. Riga's recent surgery and  
3 follow up care, as well as his vocational rehabilitation and workers' compensation records. In  
4 addition, the parties are still waiting for Mr. Riga to receive a revised PPD rating, which will directly  
5 alter the amount of damages claimed by the plaintiff. The parties are conducting a site inspection  
6 and coordinating dates to schedule all necessary depositions. While the parties are continuing with  
7 their discovery, they are still attempting to reach a possible settlement or resolution. As such, there  
8 is good cause for the parties to request that this Honorable Court extend all current discovery  
9 deadlines by approximately 60 days. The current discovery and pre-trial deadlines are:

- 10 • Initial expert witness deadline: **May 1, 2015**
- 11 • Rebuttal expert witness deadline: **June 1, 2015**
- 12 • Close of discovery: **June 30, 2015**
- 13 • Dispositive motion deadline: **July 27, 2015**
- 14 • Pretrial order: **August 25, 2015**

15 The parties request to extend the discovery and pre-trial deadlines as follows:

- 16 • Initial expert witness deadline: **June 30, 2015**
- 17 • Rebuttal expert witness deadline: **July 31, 2015**
- 18 • Close of discovery: **August 30, 2015**
- 19 • Dispositive motion deadline: **September 29, 2015**
- 20 • Pretrial order: **October 29, 2015**

21 **B. Status of Discovery and Proposed Schedule for Completing Discovery**

Pursuant to LR 26-4, the parties submit the following to the Court:

22 (a) A statement specifying the discovery completed: The parties have served and responded  
23 to written discovery requests. Defendant has subpoenaed Mr. Riga's medical and vocational  
24 assesment records.

25 (b) A specific description of the discovery that remains to be completed: The parties need to  
26 designate experts and complete depositions in this case. The defendant intends to depose Michael  
27 Riga (the injured person), the FRCP 30(b)(6) representative(s) from Le Cordon Bleu Cooking  
28 School, the plaintiff's designated expert witnesses, and several of Michael Riga's treating

1 physicians. Plaintiff intends to depose the defendant's designated expert witnesses and the FRCP  
2 30(b)(6) representative(s) from defendant.

3 (c) The reasons why discovery remaining was not completed within the time limits set by the  
4 discovery plan: In the interests of judicial economy and to save litigation expense, the parties wish  
5 to extend the initial expert witness disclosure deadlines to allow the parties to obtain Michael Riga's  
6 recent medical and vocational assessment records so they can proceed with further settlement  
7 discussions.

8 (d) A proposed schedule for completing all remaining discovery:

9 (1) *Discovery Cut-off Date*: **August 30, 2015.**

10 (2) *Deadline for Amending Pleadings and Adding Parties*: October 17, 2014 (unchanged).

11 (3) *Fed. R. Civ.P. 26(a)(2) Expert Disclosures*: **June 30, 2015** for initial expert disclosures  
12 and **July 31, 2015** for rebuttal expert disclosures.

13 (4) *Dispositive Motions*: **September 29, 2015.**

14 (5) *Pretrial Order*: **October 29, 2015.**

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**C. LR 26-7(b) Certification of Counsel**

On March 26, 2015, Raymond McKay, Esq., counsel for defendant, communicated with Jason Williams, Esq., counsel for plaintiff, regarding extending the discovery and pre-trial deadlines. Plaintiff's counsel agreed to extend the current discovery and pre-trial deadlines by approximately 60 days.

DATED this 4 day of April 2015

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP**



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DATED this 8th day of April 2015

**LAW OFFICES OF JASON P. WILLIAMS**

/s/ Jason Williams  
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Attorneys for Plaintiff Insurance Company  
of the State of Pennsylvania

**ORDER**

IT IS SO ORDERED.

DATED this 13th day of April 2015

  
UNITED STATES MAGISTRATE JUDGE