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

12 THOMAS WALKER, an individual, and  
 13 CATHY CATALDO, an individual

14 Plaintiffs,

15 vs.

16  
 17 CITY OF NORTH LAS VEGAS, OFFICER  
 18 PAUL MAALOUF, individually and in his  
 19 official capacity as a North Las Vegas Police  
 20 Department Officer, OFFICER TRAVIS  
 21 SNYDER, individually and in his official  
 capacity as a North Las Vegas Police  
 Department Officer,

22 Defendants.

Case No.: 2:14-cv-01475-JAD-NJK

**STIPULATION TO DISCOVERY  
 DISCLOSURE DEADLINES SET  
 FORTH IN SCHEDULING ORDER**  
 [ECF No. 106]

(Ninth Request)

23 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective  
 24 counsel of record, hereby stipulate and request that this Court extend discovery in the  
 25 above-captioned case sixty days (60) days, up to and including **February 3, 2017**. In  
 26 addition, the parties request that the dispositive motions and pretrial order deadlines be  
 27 extended for an additional sixty (60) days as outlined herein. In support of this Stipulation  
 28 and Request, the parties state as follows:



1 1. On September 12, 2014, this action was commenced by filing of the First Amended  
2 Complaint.

3 2. On November 12, 2014, Defendants filed their Answer to Complaint and Demand  
4 for Jury Trial.

5 3. On December 30, 2014, the Stipulated Discovery Plan Discovery Plan and  
6 Scheduling Order was filed.

7 4. On January 2, 2015, Plaintiffs produced their Initial Disclosures of Production of  
8 Documents.

9 5. On February 6, 2015, Defendants produced their Initial Disclosures of Production  
10 of Documents.

11 6. On February 13, 2015, Plaintiffs propounded their First Set of Requests for  
12 Admission to Officer Maalouf.

13 7. On February 13, 2015, Plaintiffs propounded their First Set of Requests for  
14 Admission to Officer Snyder.

15 8. On February 13, 2015, Plaintiffs propounded their First Set of Requests for  
16 Admission to North Las Vegas Police Department.

17 9. On February 13, 2015, Plaintiffs propounded their First Set of Requests for  
18 Production of Documents to North Las Vegas Police Department.

19 10. On February 23, 2015, Defendants propounded their First Set of Interrogatories to  
20 Cathy Cataldo.

21 11. On February 23, 2015, Defendants propounded their First Set of Interrogatories to  
22 Thomas Walker.

23 12. On February 23, 2015, Defendants propounded their First Set of Requests for  
24 Production of Documents to Cathy Cataldo.

25 13. On February 23, 2015, Defendants propounded their First Set of Requests for  
26 Production of Documents to Thomas Walker.

27 14. On March 6, 2015, Plaintiffs produced their First Supplement to Initial Disclosures  
28 and Production of Documents.

1 15. On May 18, 2015, Plaintiff Cathy Cataldo provided her Responses to Defendants'  
2 First Set of Interrogatories.

3 16. On May 18, 2015, Plaintiff Thomas Walker provided his Responses to Defendants'  
4 First Set of Interrogatories.

5 17. On May 18, 2015, Plaintiff Cathy Cataldo provided her Responses to Defendants'  
6 First Set of Requests for Production of Documents.

7 18. On May 18, 2015, Plaintiff Thomas Walker provided his Responses to Defendants'  
8 First Set of Requests for Production of Documents.

9 19. On May 18, 2015, Plaintiffs produced their Second Supplement to Initial  
10 Disclosures and Production of Documents.

11 20. On May 18, 2015, Defendant Officer Maalouf provided his Responses to Plaintiffs'  
12 First Set of Requests for Admission.

13 21. On May 18, 2015, Defendant Officer Snyder provided his Responses to Plaintiffs'  
14 First Set of Requests for Admission.

15 22. On May 18, 2015, Defendant North Las Vegas Police Department provided their  
16 Responses to Plaintiffs' First Set of Requests for Admission.

17 23. On May 18, 2015, Defendant North Las Vegas Police Department provided their  
18 Responses to Plaintiffs' First Set of Requests for Production of Documents.

19 24. On June 19, 2015, Plaintiff Cathy Cataldo provided her First Supplement to  
20 Responses to Defendants' First Set of Interrogatories.

21 25. On June 19, 2015, Plaintiff Thomas Walker provided his First Supplement to  
22 Responses to Defendants' First Set of Interrogatories.

23 26. On June 19, 2015, Plaintiff Cathy Cataldo provided her First Supplement to  
24 Responses to Defendants' First Set of Requests for Production of Documents.

25 27. On June 19, 2015, Plaintiff Thomas Walker provided his First Supplement to  
26 Responses to Defendants' First Set of Requests for Production of Documents.

27 28. On June 19, 2015, Plaintiffs produced their Third Supplement to Initial Disclosures  
28 and Production of Documents.

1 29. On July 30, 2015, Defendants provided their Amended Response to Plaintiffs' First  
2 Set of Requests for Production of Documents to North Las Vegas Police Department.

3 30. On July 30, 2015, Defendants produced their Initial Disclosures of Production of  
4 Documents.

5 31. On September 23, 2015, Plaintiffs propounded their Second Set of Requests for  
6 Production of Documents to North Las Vegas Police Department.

7 32. On September 23, 2015, Plaintiffs propounded their First Set of Requests for  
8 Production of Documents to Officer Maalouf.

9 33. On September 23, 2015, Plaintiffs propounded their First Set of Requests for  
10 Production of Documents to Officer Snyder.

11 34. On September 23, 2015, Plaintiff Thomas Walker propounded his First Set of  
12 Interrogatories to North Las Vegas Police Department.

13 35. On September 23, 2015, Plaintiff Thomas Walker propounded his First Set of  
14 Interrogatories to Officer Maalouf.

15 36. On September 23, 2015, Plaintiff Thomas Walker propounded his First Set of  
16 Interrogatories to Officer Snyder.

17 37. On September 29, 2015, Defendant North Las Vegas Police Department provided  
18 its First Supplement to Responses to Plaintiffs First Set of Requests for Production of  
19 Documents.

20 38. On October 22, 2015, Plaintiff Cathy Cataldo provided her Second Supplement to  
21 Responses to Defendants' First Set of Interrogatories.

22 39. On October 22, 2015, Plaintiff Thomas Walker provided his Second Supplement to  
23 Responses to Defendants' First Set of Interrogatories.

24 40. On October 28, 2015, Defendants produced their Second Supplement to Initial  
25 Disclosures of Production of Documents.

26 41. On October 29, 2015, Defendants produced their Third Supplement to Initial  
27 Disclosures of Production of Documents.

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1 42. On October 29, 2015, Defendants submitted documents to the Court for in camera  
2 review pursuant to Court Order (Doc. # 37).

3 43. On November 9, 2015, Defendant North Las Vegas Police Department provided its  
4 Responses to Plaintiffs' Second Set of Requests for Production of Documents.

5 44. On November 9, 2015, Defendant Officer Maalouf provided his Responses to  
6 Plaintiffs' First Set of Requests for Production of Documents.

7 45. On November 9, 2015, Defendant Officer Snyder provided his Responses to  
8 Plaintiffs' First Set of Requests for Production of Documents.

9 46. On November 9, 2015, Defendant North Las Vegas Police Department provided its  
10 Responses to Plaintiff Thomas Walker's First Set of Interrogatories.

11 47. On November 9, 2015, Defendant Officer Maalouf provided his Responses to  
12 Plaintiff Thomas Walker's First Set of Interrogatories.

13 48. On November 9, 2015, Defendant Officer Snyder provided his Responses to  
14 Plaintiff Thomas Walker's First Set of Interrogatories.

15 49. On November 9, 2015, Defendants produced their Fourth Supplement to Initial  
16 Disclosures and Production of Documents.

17 50. On November 19, 2015, Plaintiffs produced their Fourth Supplement to Initial  
18 Disclosures and Production of Documents.

19 51. On November 19, 2015, Defendants submitted additional documents to the Court  
20 for in camera review pursuant to Court order.

21 52. On December 11, 2015, Plaintiff Thomas Walker provided his Second Supplement  
22 to Responses to Defendants' First Set of Requests for Production of Documents.

23 53. On December 11, 2015, Plaintiff Cathy Cataldo provided her Second Supplement  
24 to Responses to Defendants' First Set of Requests for Production of Documents.

25 54. On December 11, 2015, Plaintiff Thomas Walker provided his Third Supplement  
26 to Responses to Defendants' First Set of Requests for Production of Documents.

27 55. On December 11, 2015, Plaintiff Cathy Cataldo provided her Third Supplement to  
28 Responses to Defendants' First Set of Interrogatories.



1 56. On December 11, 2015, Plaintiff Cathy Cataldo provided her Third Supplement to  
2 Responses to Defendants' First Set of Requests for Production of Documents.

3 57. On December 17, 2015, Defendants propounded their Second Set of Interrogatories  
4 to Plaintiff Thomas Walker.

5 58. On December 17, 2015, Defendants propounded their Second Set of Interrogatories  
6 to Plaintiff Cathy Cataldo.

7 59. On December 17, 2015, Defendants propounded their Second Set of Requests for  
8 Production of Documents to Plaintiff Thomas Walker.

9 60. On December 17, 2015, Defendants propounded their Second Set of Requests for  
10 Production of Documents to Plaintiff Cathy Cataldo.

11 61. On December 17, 2015, Defendant North Las Vegas Police Department provided  
12 its Second Supplemental Responses to Plaintiffs' First Set of Requests for Production of  
13 Documents.

14 62. On December 17, 2015, Defendant North Las Vegas Police Department provided  
15 its First Supplemental Responses to Plaintiffs' Second Set of Requests for Production of  
16 Documents.

17 63. On December 17, 2015, Defendants provided documents pursuant to Order  
18 Granting in Part Plaintiffs' Motion to Compel (Doc. # 46).

19 64. On December 28, 2015, Defendant North Las Vegas Police Department provided  
20 its Second Supplemental Responses to Plaintiffs' Second Set of Requests for Production of  
21 Documents.

22 65. On December 28, 2015, Defendants produced their Fifth Supplement to Initial  
23 Disclosures and Production of Documents.

24 66. On January 5, 2016, Plaintiffs produced their Fifth Supplement to Initial  
25 Disclosures and Production of Documents.

26 67. On January 8, 2016, Plaintiffs produced their Sixth Supplement to Initial  
27 Disclosures and Production of Documents.

28 68. On January 13, 2016, Defendant North Las Vegas Police Department provided its



1 Third Supplemental Responses to Plaintiffs' Second Set of Requests for Production of  
2 Documents.

3 69. On January 20, 2016, Plaintiff Thomas Walker provided his Responses to  
4 Defendants' Second Set of Interrogatories.

5 70. On January 20, 2016, Plaintiff Cathy Cataldo provided her Responses to  
6 Defendants' Second Set of Interrogatories.

7 71. On January 20, 2016, Plaintiff Thomas Walker provided his Responses to  
8 Defendants' Second Set of Requests for Production of Documents.

9 72. On January 20, 2016, Plaintiff Cathy Cataldo provided her Responses to  
10 Defendants' Second Set of Requests for Production of Documents.

11 73. On January 20, 2016, Plaintiffs produced their Seventh Supplement to Initial  
12 Disclosures and Production of Documents.

13 74. On February 4, 2016, Plaintiffs produced their Eighth Supplement to Initial  
14 Disclosures and Production of Documents.

15 75. On February 12, 2016, the deposition of Plaintiff Thomas Walker was taken by the  
16 Defendants.

17 76. On February 12, 2016, the deposition of Plaintiff Cathy Cataldo was taken by the  
18 Defendants.

19 77. On May 2, 2016, Plaintiffs produced their Ninth Supplement to Initial Disclosures  
20 and Production of Documents.

21 78. On May 9, 2016, Defendants served its Seventh Supplement to Initial Disclosures  
22 and Production of Documents.

23 79. On May 17, 2016, Defendants served its Eighth Supplement to Initial Disclosures  
24 and Production of Documents.

25 80. On May 20, 2016, Defendant City of North Las Vegas served its Third Supplement  
26 to Responses to Plaintiff's First Request for Production of Documents.

27 81. On May 27, 2016, Defendant City of North Las Vegas served its Fourth Supplement  
28 to Responses to Plaintiff's First Request for Production of Documents.

1 82. On May 27, 2016, Defendant City of North Las Vegas served its Fourth  
2 Supplemental Responses to Plaintiff's Second Request for Production of Documents.

3 83. On June 1, 2016, Plaintiffs produced their Tenth Supplement to Initial Disclosures  
4 and Production of Documents.

5 84. On June 2, 2016, the deposition of Travis Snyder was taken by Plaintiffs.

6 85. On June 3, 2016, the deposition of Paul Maalouf was taken by Plaintiffs.

7 86. On June 20, 2016, Plaintiff Cathy Cataldo served her First Set of Interrogatories to  
8 Defendant City of North Las Vegas.

9 87. On July 22, 2016, the deposition of retired Sergeant Mike Waller was taken by  
10 Plaintiffs.

11 88. On August 18, 2016, the deposition of Officer Jason Scarale was taken by Plaintiffs.

12 89. On August 19, 2016, the deposition of Officer Ryan Parrish was taken by Plaintiffs.

13 90. On August 31, 2016, the deposition of CSI Wendy Radke was taken by Plaintiffs.

14 91. On September 20, 2016, Defendants produced their Ninth Supplement to Initial  
15 Disclosures and Production of Documents.

16 92. The parties have set aside November 14-18, 2016 for the Fed. R. Civ. P. 30(b)(6)  
17 depositions. These dates are subject to change based upon the witnesses' availabilities.

18 93. The parties anticipate that additional written discovery will be necessary.

19 **DISCOVERY REMAINING**

20 1. The depositions of all remaining witnesses will be completed by the close of  
21 discovery.

22 2. The deposition of the parties named experts will be completed by the close of  
23 discovery.

24 **REASONS WHY DISCOVERY WAS NOT COMPLETED**

25 The parties aver, pursuant to Local Rule 6-1, that good cause exists for the  
26 requested extension.

27 Defendants recently produced documents that Plaintiffs need to review and  
28 analyze. Also, some scheduling conflicts may occur due to the upcoming holiday season.





1 The parties are currently working together to schedule additional depositions, which are  
 2 pertinent to rebuttal expert disclosures because they concern documents that experts will  
 3 need to review. Further, the parties are in discussion regarding potential mediation options.

4 The following is a list of the current discovery deadlines and the parties' proposed  
 5 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	October 6, 2016	No change. Will be mailed on October 6, 2016.
Discovery Cut-off	December 5, 2016	February 3, 2017
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	November 4, 2016	January 3, 2017
Dispositive Motions	January 4, 2017	March 6, 2017 or at least thirty (30) days after the close of discovery
Joint Pretrial Order	February 3, 2017	April 4, 2017 or at least thirty (30) days after the decision of last Dispositive Motions or further order of the Court.

18 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4  
 19 governs modifications or extension of this discovery plan and scheduling order. Any  
 20 stipulation or motion must be made no later than twenty-one (21) days before the expiration  
 21 of the subject deadline, and comply fully with LR 26-4.

22 This Request for an extension of time is not sought for any improper purpose or  
 23 other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing  
 24 sufficient time to conduct discovery in this case and adequately prepare their respective cases  
 25 for trial.

26 This is the ninth request for extension of time in this matter. The parties respectfully  
 27 submit that the reasons set forth above constitute compelling reasons for the extension.

28 ///

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WHEREFORE, the parties respectfully request that this Court extend discovery in the above-captioned case sixty days (60) days from the current deadline of December 5, 2016 up to and including February 3, 2017 and the other dates as outlined in accordance with the table above.

DATED this 5<sup>th</sup> day of October, 2016.                      DATED this 5<sup>th</sup> day of October, 2016.

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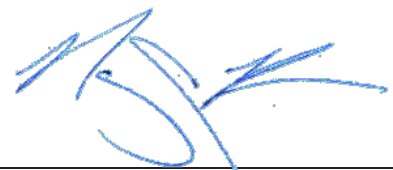
and

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**ORDER**

IT IS SO ORDERED.

DATED this 6th day of October, 2016.



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U.S. MAGISTRATE JUDGE