

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

JOINTLY SUBMITTED

**IN THE UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

William Bridge, *on behalf of himself and all* :  
*others similarly situated,* :

Plaintiff,  
vs.

Credit One Financial, a Nevada Corporation :  
d/b/a Credit One Bank, N.A., :

Defendant.

Case No.: 2:14-cv-01512-LDG-NJK

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME TO  
PROVIDE CLASS CERTIFICATION  
EXPERT DISCLOSURES**

**(Second Request)**

The parties to the above-captioned action respectfully jointly submit the following Stipulation and Proposed Order for the Court’s consideration and approval:

WHEREAS, on December 30, 2014, the Court entered the Joint Discovery Plan and Scheduling Order (Dkt. No. 24) (“Scheduling Order”) establishing, among other things, deadlines for Rule 26(a)(2) expert disclosures pertaining to the class certification phase of litigation;

WHEREAS, on February 24, 2015, the Court entered the Stipulation and Order Amending Scheduling Order (Dkt. No. 47) (“Amended Scheduling Order”) establishing, among other things, a deadline of June 22, 2015 for opening Rule 26(a)(2) expert disclosures pertaining to the class certification phase of litigation, a deadline of July 24, 2015 for rebuttal Rule 26(a)(2) expert disclosures pertaining to the class certification phase of litigation, a deadline of July 24, 2015 for completion of class certification discovery, and a deadline of August 21, 2015 for filing any class certification motion; WHEREAS, on June 2, 2015, the Court entered an Order Extending Time To Provide Class Certification Expert Disclosures (Dkt. No. 84). The June 2, 2015 Order continued for an additional twenty-one (21) days, to July 13, 2015, the deadline for opening Rule 26(a)(2) expert disclosures pertaining to the class certification phase of litigation, and continued for an additional twenty-one (21) days to August 14, 2015, the deadline for rebuttal Rule 26(a)(2) expert disclosures pertaining to the class certification phase of litigation;

1           WHEREAS, on March 31, 2015, Defendant CREDIT ONE BANK, N.A. (“Defendant”)  
2 filed a Motion for Protective Order (Dkt. No. 63) pertaining to Plaintiff WILLIAM BRIDGE’s  
3 (“Plaintiff”) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of  
4 Premises served on NCO Financial Systems; WHEREAS, on April 24, 2015, Defendant filed a  
5 Motion for Order Authorizing Time Warner Cable (“TWC”) to Produce Documents Responsive to  
6 Subpoena (Dkt. No. 72).

7           WHEREAS, on June 17, 2015, Plaintiff filed a Motion to Compel (Dkt. Nos. 88 and 89)  
8 seeking an Order requiring production by Defendant of documents responsive to Request Nos.  
9 1(A)-(N), and Request No. 2 of Plaintiff’s First Set of Documents Requests;

10           WHEREAS, to date, the parties have engaged in the following discovery: (a) the parties  
11 have served Initial Disclosures pursuant to Fed. R. Civ. P. 26(a) and Defendant has served five  
12 supplemental Initial Disclosures; (b) Plaintiff has served Responses and Objections to Defendant’s  
13 First Set of Requests for Production of Documents and Defendant’s First Set of Interrogatories; (c)  
14 Plaintiff has produced approximately 250 pages of material in response to Defendant’s First Set of  
15 Requests for Production of Documents; (d) Defendant has served Responses and Objections to  
16 Plaintiff’s First Set of Requests for Production of Documents; (e) Defendant has produced  
17 approximately 889 pages of material in response to Plaintiff’s First Set of Requests for Production  
18 of Documents; (f) Plaintiff has served upon Defendant a Second Set of Requests for Production of  
19 Documents and a First Set of Interrogatories, responses to which are due June 29, 2015; (g) Plaintiff  
20 has deposed Defendant’s Fed. R. Civ. P. 30(b)(6) designee on March 23, 2015, as well as an  
21 employee noticed individually on May 20, 2015; (h) Plaintiff served a Fed. R. Civ. P. 45 subpoena  
22 on non-party NCO Financial Systems, Inc. (“NCOFS”) on March 12, 2015, in response to which  
23 Defendant moved to quash in the Eastern District of Pennsylvania (*Bridge v. Credit One Financial*,  
24 C.A. No. 15-mc-125)) on April 28, 2015; (i) Plaintiff and non-party NCOFS are presently  
25 negotiating the terms of NCOFS’s production of documents in response to the subpoena, in light of  
26 the Eastern District of Pennsylvania’s Order of May 19, 2015 denying Defendant’s motion to  
27 quash; (j) Defendant served Notices of Subpoena for Documents and Deposition Testimony to the  
28 Custodian of Records for Cellco Partnership dba Verizon Wireless on February 5, 2015, March 3,

1 2015, and May 7, 2015; (k) Plaintiff intends to depose on June 30, 2015 an employee of Defendant  
2 (noticed individually); and (l) Defendant intends to depose Plaintiff on July 1, 2015;

3 WHEREAS, the discovery that remains to be completed during class discovery includes:  
4 document production by Defendant in response to Plaintiff's Second Set of Requests for Production  
5 of Documents, Defendant's responses to Plaintiff's First Set of Interrogatories, and deposition  
6 testimony of potential additional employees of Defendant, to the extent permitted by Order of the  
7 Court on Defendant's (1) Motion to Stay Action Pursuant to the Primary Jurisdiction Doctrine  
8 Pending Outcome of Petitions Currently Before the Federal Communications Commission (Dkt.  
9 No. 27), (2) Defendant's Motion for Protective Order (Dkt. No. 63), (3) Plaintiff's Motion to  
10 Compel (Dkt. No. 88); (4) document production by TWC to the extent permitted by Order of the  
11 Court on Defendant's Motion for Order Authorizing Time Warner Cable to Produce Documents  
12 Responsive to Subpoena (Dkt. No. 72); and (5) document production by non-party NCOFS;

13 WHEREAS, the parties have met and conferred concerning modifications to the Amended  
14 Scheduling Order. The parties agree that further amendments to the Amended Scheduling Order  
15 are required in light of the progress of discovery to date and the pendency of Defendant's Motion  
16 for Protective Order (Dkt. No. 63) and Plaintiff's Motion to Compel (Dkt. No. 88);

17 WHEREAS, the parties have agreed that the Amended Scheduling Order's deadlines for  
18 opening and rebuttal Rule 26(a)(2) expert disclosures, for close of class certification discovery and  
19 for Plaintiff's motion for class certification should be modified to take account of the progress of  
20 discovery.

21 WHEREAS, the parties agree that any extension of the initial Rule 26(a)(2) expert  
22 disclosure deadline should in fairness be accompanied with a similar extension of the rebuttal Rule  
23 26(a)(2) expert disclosure deadline;

24 WHEREAS, pursuant to section I.3 of the Scheduling Order, the parties filed, on February  
25 19, 2015, a Joint Interim Status Report advising the Court of the parties' agreement concerning  
26 proposed modifications to the Scheduling Order;

27 NOW, THEREFORE, the parties, by their respective undersigned counsel, and subject to  
28 this Court's approval, agree and stipulate as follows:

1           1.       The deadline for completion of class certification discovery shall be extended by  
2 thirty (30) days to August 24, 2015;

3           2.       The deadline for initial Rule 26(a)(2) expert disclosures pertaining to the class  
4 certification phase of litigation shall be continued an additional twenty-one (21) days, to August 3,  
5 2015;

6           3.       The deadline for rebuttal Rule 26(a)(2) expert disclosures pertaining to the class  
7 certification phase of litigation shall be continued an additional twenty-one (21) days, to September  
8 4, 2015;

9           4.       The deadline for filing any class certification motion shall be extended by thirty (30)  
10 days to September 21, 2015.

11 DATED: June 22, 2015

12 **IT IS SO STIPULATED:**

13 SHOOK & STONE, CHTD.

GRANT & EISENHOFER P.A.

14 /s/ Leonard H. Stone  
15 LEONARD H. STONE (NV Bar No. 5791)  
16 MICHAEL P. O'ROURKE (NV Bar No. 6764)  
17 7109 S. Fourth Street  
18 Las Vegas, NV 89101

/s/ Adam J. Levitt  
ADAM J. LEVITT (admitted pro hac vice)  
KYLE J. MCGEE (admitted pro hac vice)  
30 N. LaSalle Street, Suite 2350  
Chicago, IL 60602

18 *Attorneys for Plaintiff*

*Attorneys for Plaintiff*

19 HOLLAND & HART LLP

20 /s/ Brian G. Anderson  
21 PATRICK J. REILLY (NV Bar No. 6103)  
22 BRIAN G. ANDERSON (NV Bar No. 10500)  
23 9555 Hillwood Drive, 2nd Floor  
24 Las Vegas, NV 89134

25 *Attorneys for Defendant*

26 **IT IS SO ORDERED:**

27   
28 \_\_\_\_\_  
NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE

DATED: June 23, 2015