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 7 Attorneys for Defendants

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BRIAN BALLENTINE, an individual;  
 11 CATALINO DAZO, an individual; KELLY  
 12 PATTERSON, an individual; and GAIL  
 13 SACCO, an individual,

14 Plaintiffs,

15 vs.

16 LAS VEGAS METROPOLITAN POLICE  
 17 DEPARTMENT, in its official capacity;  
 18 DETECTIVE CHRISTOPHER T. TUCKER,  
 as an individual and in his official capacity as  
 a Las Vegas Metropolitan Police Department  
 19 Detective; SERGEANT MIKE WALLACE,  
 as an individual and in his official capacity as  
 a Las Vegas Metropolitan Police Department  
 20 Sergeant; and LIEUTENANT JOHN  
 21 LIBERTY, as an individual and in his official  
 22 capacity as a Las Vegas Metropolitan Police  
 23 Department Lieutenant,

24 Defendants.

Case Number:  
 2:14-cv-01584-APG-EJY

25 **STIPULATION AND ORDER TO**  
**CONTINUE TRIAL**

26 **(SECOND REQUEST)**

Date of Trial: 12/04/23  
 Time of Trial: 9:00 a.m.

27 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Brian  
 28 Ballentine, Catalino Dazo and Kelly Patterson (“Plaintiffs”), by and through their attorney of  
 record, Margaret A. McLetchie, Esq. of McLetchie Law and Defendant Christopher Tucker  
 (“Defendant Tucker”), by and through his attorney of record, Craig R. Anderson, Esq. of  
 Marquis Aurbach, that the trial currently scheduled to begin on December 4, 2023, (ECF No.  
 287), be continued to the Court’s March and/or April 2024 stacks.

This Stipulation is entered into for the following reasons:

1. The parties have met and conferred regarding trial readiness.

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1 2. Although the parties agree that the case is ready for trial, Defendants' expert  
2 witness is unavailable during the month of December 2023.

3 3. Counsel for Defendants have a trial scheduled for January 2024 in the Eighth  
4 Judicial District Court.

5 4. Counsel for Plaintiffs also have conflicts in December 2023 and January 2024,  
6 including but not limited to several matters where discovery is scheduled to close in that time  
7 period.

8 5. Due to the above conflicts, the parties have met, conferred and agree that a new  
9 trial date be set on the Court's March and/or April 2024 trial stacks.

10 6. This is the second stipulation filed to continue the trial date.

11 IT IS SO STIPULATED this 22<sup>nd</sup> day of September, 2023.

12 MARQUIS AURBACH


MCLETCHIE LAW

13  
14 By: s/Craig R. Anderson  
15 Craig R. Anderson, Esq.  
16 Nevada Bar No. 6882  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Attorney for Defendant Tucker

13  
14 By: s/Margaret A. McLetchie  
15 Margaret A. McLetchie, Esq.  
16 Nevada Bar No. 10931  
602 South Tenth Street  
Las Vegas, Nevada 89101  
Attorney for Plaintiffs

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20 **ORDER**

21 IT IS SO ORDERED that the November 28, 2023 calendar call is vacated and  
22 continued to April 2, 2024 at 9:00 a.m., and the trial date of December 4, 2023 be vacated and  
23 continued to April 8, 2024 at 9:00 a.m. in Courtroom 6C.

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26 \_\_\_\_\_  
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE  
DATED: September 25, 2023

MARQUIS AURBACH

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