

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

SUZANNE L. MARTIN (Nevada Bar No. 8833)
Wells Fargo Tower, Ste. 1500
3800 Howard Hughes Parkway
Las Vegas, NV 89169
Telephone: (702) 369-6800
Facsimile: (702) 369-6888
Email: suzanne.martin@ogletreedeakins.com

AKIN GUMP STRAUSS HAUER & FELD LLP

SHAWN HANSON (admitted *pro hac vice*)
580 California Street, Suite 1500
San Francisco, CA 94104
Telephone: (415) 765-9500
Facsimile: (415) 765-9501
Email: shanson@akingump.com

Attorneys for Defendants My Left Foot Children’s
Therapy, LLC, Jon Gottlieb and Ann Marie Gottlieb

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA AND THE STATE OF NEVADA <i>ex rel.</i> MARY KAYE WELCH, <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> MY LEFT FOOT CHILDREN’S THERAPY, LLC, et al., <p style="text-align: center;">Defendants.</p>	Case No. 2:14-cv-01786-MMD-GWF JOINT STIPULATION TO EXTEND DEADLINES IN SCHEDULING ORDER PER LOCAL RULES IA 6-1, IA 6-2, 7-1, AND 26-4 (THIRD REQUEST)
---	---

STIPULATION AND [PROPOSED] ORDER

Pursuant to Local Rules IA 6-1, IA 6-2, 7-1, and 26-4, Plaintiff Mary Kaye Welch and Defendants My Left Foot Children’s Therapy, LLC (“My Left Foot”), Jon Gottlieb, and Ann Marie Gottlieb (“Defendants”) (collectively, the “Parties”), by and through their respective counsel of record, stipulate and agree to extend the deadlines set forth in the Scheduling Order (ECF No. 124). This is the Parties’ third request to modify the deadlines in the Scheduling Order. The first request, filed on August 14, 2017 (ECF No. 112), was granted (ECF No. 113), as was the second request, filed on

1 November 3, 2017. (ECF Nos. 123, 124.)

2 **I. STATEMENT OF COMPLETED DISCOVERY**

3 *Initial Disclosures*

4 The parties exchanged initial disclosures in June 2014.

5 *Fact Discovery*

6 Fact discovery closed on December 27, 2017.

7 **II. STATEMENT OF DISCOVERY TO BE COMPLETED**

8 Expert discovery remains to be completed. Plaintiffs' expert disclosure deadline is currently
9 set for February 28, 2018, and Defendants' expert disclosure deadline is currently set for March 29,
10 2018. Plaintiffs must disclose any rebuttal experts by May 7, 2018. Expert discovery is currently
11 scheduled to be completed by June 6, 2018.

12 **III. THE REASONS FOR THE REQUESTED EXTENSION**

13 The parties have agreed to jointly request referral to a judicial settlement conference. To avoid
14 unnecessarily incurring significant costs associated with expert discovery, the parties have also agreed
15 to jointly request a brief extension of the remaining deadlines in the Scheduling Order (ECF No. 124)
16 pending the outcome of the settlement conference.

17 **IV. REVISED PROPOSED DISCOVERY PLAN**

18 The Parties respectfully request that the Court refer the Parties to the Magistrate Judge and stay
19 all expert deadlines pending completion of the settlement conference. Following the completion of
20 settlement conference and if the Parties are unable to resolve the matter, the Parties will propose
21 deadlines for expert designations, reports, and rebuttals that flow from the date of the settlement
22 conference and that are consistent with the timeline that has been previously been approved by the
23 Court. In the interim, the Parties will continue to brief the summary judgment motion filed by Relator
24 and will finish the outstanding fact depositions of Rebecca Bush and Meghan Gebhart.

25 This request is made in good faith and is designed to promote judicial economy and the
26 efficient use of resources. The Parties welcome the opportunity to participate in a conference call with

27 ///

28 ///

1 the Court to the extent the Court believes one to be necessary.

2
3 Dated: January 16, 2018

4 Respectfully submitted,

5 By: /s/ David Scher

By: /s/ Shawn Hanson

6 David Scher (admitted *pro hac vice*)
7 R. Scott Oswald (admitted *pro hac vice*)
8 Andrew Witko (admitted *pro hac vice*)
9 The Employment Law Group, P.C.
10 soswald@employmentlawgroup.com
11 dscher@employmentlawgroup.com
12 awitko@employmentlawgroup.com
13 888 17th Street, NW, Suite 900
14 Washington, DC 20006
15 Telephone: (202) 331-2883
16 Facsimile: (202) 261-2835

Shawn Hanson (admitted *pro hac vice*)
Akin Gump Strauss Hauer & Feld LLP
580 California Street, Suite 1500
San Francisco, CA 94104
shanson@akingump.com
Tel: 415-765-9500
Fax: 415-765-9501

Suzanne L. Martin
Ogletree, Deakins, Nash, Smoak, & Stewart,
P.C.
Wells Fargo Tower
3800 Howard Hughes Pkwy, Suite 1500
Las Vegas, NV 89169
suzanne.martin@ogletreedeakins.com
Tel: 702-369-6800
Fax: 702-369-6888

12 L. Timothy Terry, Esq.
13 The Terry Law Firm, Ltd
14 102 N. Curry Street
15 Carson City, NV 89703
16 tim@theterrylawfirm.com
17 Telephone: (775) 883-2348
18 Facsimile: (775) 883-2347

Attorneys for Defendants My Left Foot
Children’s Therapy, LLC,
Jon Gottlieb and Ann Marie Gottlieb

19 Attorneys for Plaintiff/Relator Mary Kaye
20 Welch

ORDER

IT IS SO ORDERED:



GEORGE FOLEY, JR.
United States Magistrate Judge

DATED: 1/17/2018