

1 BRENDA H. ENTZMINGER  
 Nevada Bar No. 9800  
 2 AMTOJ S. RANDHAWA  
 Nevada Bar No. 13746  
 3 **PHILLIPS, SPALLAS & ANGSTADT LLC**  
 4 504 South Ninth Street  
 Las Vegas, Nevada 89101  
 5 (702) 938-1510

6 *Attorneys for Defendant*  
 7 *Wal-Mart Stores, Inc.*

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 SUZY MCCABE,

11 Plaintiff,

12 v.

13 WAL-MART STORES, INC., WALMART  
 NEIGHBORHOOD MARKET, DOE  
 14 MAINTENANCE EMPLOYEE, DOE  
 EMPLOYEE, DOE JANITORIAL  
 15 EMPLOYEE, DOE OWNER, I-V, ROE  
 EMPLOYER, and ROE COMPANIES,

16 Defendants.

Case No.: 2:14-01987-JAD-CWH

**STIPULATION AND [PROPOSED]**  
**ORDER TO EXTEND DISCOVERY**  
**DEADLINES**

**[FIRST REQUEST]**

17  
 18 Comes now Plaintiff SUZY MCCABE (“Plaintiff”) and Defendant WAL-MART STORES,  
 19 INC. (“Walmart”), by and through their respective counsel of record, and hereby stipulate to the  
 20 extension of all remaining discovery deadlines by thirty days. The parties therefore propose the  
 21 following revised discovery plan.

22 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery  
 23 extension requested in the matter.

24 **DISCOVERY COMPLETED TO DATE**

25 The parties have conducted an FRCP 26(f) conference and have served their respective FRCP  
 26 26(a) disclosures. Both parties have propounded written discovery requests—including  
 27 interrogatories, requests for admission and requests for production. Both parties have answered  
 28

1 propounded written discovery requests. Plaintiff's FRCP 35 Independent Medical Evaluation was held  
2 on Friday, May 22, 2015. The parties have scheduled Plaintiff's deposition for Tuesday, June 9, 2015.

3  
4 **DISCOVERY TO BE COMPLETED AND**  
5 **REASONS FOR EXTENSION OF DISCOVERY**

6 Discovery to be completed includes: additional written discovery; deposition of fact witnesses;  
7 depositions of Plaintiff's treating physicians; disclosure of expert witnesses; depositions of expert  
8 witnesses and rebuttal expert witnesses.

9 Despite the good faith efforts of the parties to comply with the Court's discovery deadlines,  
10 Plaintiff was unavailable for a Rule 35 Independent Medical Evaluation until May 22, 2015. The delay  
11 in conducting the Rule 35 Independent Medical Evaluation in conjunction with the voluminous  
12 amount of medical records the parties' respective experts must review constitute good cause for a  
13 thirty day extension of all remaining discovery deadlines by thirty days.

14 **[PROPOSED] NEW DISCOVERY DEADLINE**

15  
16 **Expert Disclosure Deadline**

17 Current: June 3, 2015  
18 Proposed: July 3, 2015

19 **Rebuttal Expert Disclosure**

20 Current: July 3, 2015  
21 Proposed: August 3, 2015

22 **Interim Status Report**

23 Current: June 3, 2015  
24 Proposed: July 3, 2015

25 **Dispositive Motions**

26 Current: September 3, 2015  
27 Proposed: October 5, 2015

28 //  
//

1 **Pre-Trial Order**

2 Current: October 2, 2015  
3 Proposed: November 2, 2015

4 **Discovery Cut-off Date**

5 Current: August 3, 2015  
6 Proposed: September 2, 2015

7  
8 If this extension is granted, all anticipated additional discovery should be concluded within its  
9 stipulated extended deadlines. The parties aver that this request for extension of discovery deadlines  
10 is made by the parties in good faith and not for the purpose of delay.  
11

12 Dated this 27th day of May, 2015.

Dated this 27th day of May, 2015.

13  
14 /s/ Adrian Karimi  
15 Adrian Karimi  
16 Nevada Bar No. 13514  
17 MORRIS ANDERSON LAW FIRM  
18 716 S. Jones Blvd.  
19 Las Vegas, NV 89107

/s/ Brenda H. Entzminger  
Brenda H. Entzminger  
Nevada Bar No. 9800  
PHILLIPS SPALLAS & ANGSTADT  
504 South Ninth Street  
Las Vegas, NV 89101

18 *Attorneys for Plaintiff*  
19 *Suzy McCabe*

*Attorneys for Defendant*  
*Wal-Mart Stores, Inc.*

20 **ORDER**

21 **IT IS SO ORDERED:**

22   
23 **UNITED STATES MAGISTRATE JUDGE**

24 DATED: May 28, 2015

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 27<sup>th</sup> day of May, 2015, I served a true and correct copy of the  
3 foregoing, **STIPULATION AND [PROPOSED] ORDER TO EXTEND DISCOVERY**  
4 **DEADLINES, [FIRST REQUEST]**, by facsimile and by U.S. Mail, in a sealed envelope, first-class  
5 postage fully prepaid, addressed to the following counsel of record, at the address listed below:  
6

7

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
RYAN M. ANDERSON, ESQ. Nevada Bar No. 11040 KIMBALL JONES, ESQ. Nevada Bar No. 12982 MORRIS ANDERSON 716 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-333-1111 Fax 702-507-0092	Plaintiff

8  
9  
10  
11

12 */s/ Amtoj S. Randhawa*

13 An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28