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 9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA, SOUTHERN DIVISION

12 PAUL DESHLER and LUPE DESHLER,

13 Plaintiffs,

14 v.

15 VAL HARRIS; ANNETTE HARRIS and  
 DOUGLAS HARRIS; DOES I through X,  
 16 inclusive; and ROE BUSINESS ENTITIES I  
 through X, inclusive,

17 Defendant.

Case No. 2:15-cv-00507-GMN-GWF

**STIPULATION FOR EXTENSION OF  
 TIME TO COMPLETE DISCOVERY  
 (SECOND REQUEST)**

19 IT IS HEREBY STIPULATED AND AGREED by and between WADE M. HANSARD,  
 20 ESQ. of MCCORMICK BARSTOW, Attorney for Defendants' and JOHN B. SHOOK, ESQ. of  
 21 SHOOK & STONE, CHTD., Attorney for Plaintiffs' that the discovery deadlines of this matter be  
 22 continued for a period of seven (7) months to allows the parties to complete discovery on this matter,  
 23 in order to be ready for trial.

24 Pursuant to EDCR 2.35(b), the parties state the following:

25 **A. THE PARTIES HAVE COMPLETED THE FOLLOWING DISCOVERY:**

- 26 1) Early Case Conference held on April 21, 2015
- 27 2) Plaintiff's Early Case Conference Production and Supplements
- 28 3) Defendant's Early Case Conference Production and Supplements

- 1 4) Defendant served written discovery including interrogatories, request for admissions,
- 2 request for production of documents on Plaintiff's on June 8, 2015
- 3 5) Plaintiff served written discovery including interrogatories, request for admissions, request
- 4 for production of documents on Defendant on May 20, 2015
- 5 6) Plaintiff conducted a site inspection on June 1, 2015
- 6 7) Deposition of Paul Deshler was taken on November 2 ,2015
- 7 8) Deposition of Lupe Deshler was taken on November 2, 2015
- 8 9) Deposition of Douglas Harris was taken on November 10, 2015
- 9 10) Deposition of Val Harris was take on October 26, 2015
- 10 11) Deposition of Annette Harris was taken on October 26, 2015

11 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 12 1) Depose David Deshler who resides in the middle east and will not be returning until the
- 13 Summer of 2016
- 14 2) Depositions of Plaintiff's treating physicians. Plaintiff Paul Deshler continues to treat with
- 15 medical physicians
- 16 3) Obtain additional medical records for Plaintiff Paul Deshler from his neurologists and
- 17 neuropsychologists
- 18 4) Obtain an Independent Medical Examination of Plaintiff Paul Deshler
- 19 5) Obtain neurological testing of Plaintiff Paul Deshler
- 20 6) Depose Plaintiffs' Experts
- 21 7) Depose Defendants' Experts

22 **C. REASONS WHY THE REMAINING DISCOVERY WAS NOT COMPLETED:**

23 Liability is complex and will require more case law research and discovery than more typical  
24 negligence claims the parties are in agreement that additional time is needed in order to conduct  
25 depositions and discovery in this matter. This case involves unique and complicated liability issues  
26 and will require more than a typical case to obtain expert reports and testimony.

27 In addition, the parties request an extension of the discovery deadlines in an effort to determine  
28 whether they are able to reach an amicable resolution. The current discovery deadlines are impacting

1 the parties' ability to meaningfully engage in settlement discussions and are therefore requesting an  
2 extension of the same.

3 The parties will also need additional time to conduct the deposition of an imperative fact  
4 witness, David Deshler, who currently resides in the Middle East. Pursuant to Plaintiffs'  
5 representations, David Deshler will be back in the United States during the summer of 2016 and will  
6 then be returning to the Middle East.

7 Until the above-mentioned evidence is recovered and reviewed by experts and depositions are  
8 taken, the parties will not be able to conclude discovery and be prepared for trial. As such, the parties  
9 believe that a seven month extension of the discovery cutoff date will be sufficient to allow the parties  
10 to complete discovery.

11 **D. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY:**

- 12 1. Complete Discovery: September 16, 2016
- 13 2. Deadline for Initial Expert Disclosures: July 18, 2016
- 14 3. Deadline for Rebuttal Expert Disclosures: August 18, 2016
- 15 4. Deadline to File Motions to Amend Pleadings/Add Parties: All motions to amend  
16 pleadings or to add parties were to be done no later than June 18, 2015 and the parties are not  
17 requesting an extension of this deadline.
- 18 5. Deadline to File Dispositive Motions: October 17, 2016
- 19 6. Pre-Trial Order: November 17, 2016
- 20 7. Fed.R.Civ.P.26(a)(3) Disclosures: The disclosures required by Fed.R.Civ.P.26(a)(3),  
21 and any objections thereto, shall be included in the joint pretrial order.
- 22 8. Extensions or modifications of the Discovery Plan and Scheduling Order: Any  
23 stipulation or motion must be made no later than 21 days before the subject deadline. Request to  
24 extend discovery deadlines must comply fully with LR26-4.

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