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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 MICHAEL WILLIAMS,

15 Plaintiff,

16 v.

17 DWIGHT NEVEN, *et al.*,

18 Defendants.

Case No. 2:15-cv-01327-GMN-NJK

**DEFENDANTS' MOTION TO
EXTEND REMAINING
SCHEDULING DEADLINES
(SECOND REQUEST)**

19
20 Defendants Dwight Neven, Bruce Stroud, Larry Treadwell, Jennifer Nash, and
21 Jerry Howell, by and through counsel, Adam Paul Laxalt, Nevada Attorney General, and
22 Jared M. Frost, Senior Deputy Attorney General, hereby move for a fourteen (14) day
23 extension of the remaining non-discovery scheduling deadlines in this matter. This
24 motion is made and based on the following points and authorities, the attached
25 Declaration of Counsel, the pleadings and papers on file, and any additional evidence the
26 Court deems appropriate to consider.

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1 **I. BACKGROUND**

2 This is an inmate civil rights case filed pursuant to 42 U.S.C. section 1983. ECF
3 No. 4. The Court issued its screening order on June 16, 2016. ECF No. 8. Pursuant to this
4 order, Plaintiff was permitted to proceed on his Fourteenth Amendment claims related to
5 being housed in administrative segregation against Defendants Neven, Nash, Fillman,
6 Stroud, Treadwell, and Howell. *Id.* at 8.

7 On September 23, 2016, the parties participated in an early mediation conference
8 at which no resolution was reached. ECF NO. 14.

9 On December 19, 2016, Defendants Neven, Stroud, Treadwell, Nash, and Howell
10 filed an Answer to Plaintiff's Complaint. ECF NO. 19.

11 On December 20, 2016, the Court issued a scheduling order. ECF No. 20. Pursuant
12 to the scheduling order, discovery must be completed by March 20, 2017, discovery
13 motions are due April 3, 2017, and dispositive motions are due April 19, 2017. *Id.*

14 On March 31, 2017, Defendants filed a motion to extend the remaining scheduling
15 deadlines for 30 days. ECF No. 24.

16 On April 3, 2017, the Court granted Defendants' extension request. ECF No. 25.
17 Pursuant to the Court's order, the last day to file discovery motions was May 3, 2017, and
18 the last day to file dispositive motions was June 5, 2017. *Id.*

19 On April 6, 2017, Defendants filed a motion to compel. ECF No. 27

20 On May 10, 2017, the Court denied Defendants' motion to compel without prejudice
21 and directed Defendants to file any renewed motion to compel by May 24, 2017. ECF No.
22 28.

23 This second motion to extend the remaining scheduling deadlines follows.

24 **II. ARGUMENT**

25 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), the Court may extend the
26 time to perform an act within a specified time for good cause shown. Defendants submit
27 that their request to extend the remaining non-discovery scheduling deadline by 14 days
28 is supported by good cause here.

1 Since this Court denied Defendants' motion to compel on May 10, 2017, the
2 undersigned has reviewed the case file and begun drafting a motion for summary
3 judgment. See Exhibit 1 (Declaration of Counsel). However, the undersigned has been
4 unable to complete the motion due to his responsibilities to meet deadlines in other cases
5 and to train and supervise an intern who recently joined the Office of the Attorney
6 General. *Id.* In addition, Defendants' modest extension request will not prejudice Plaintiff
7 and is not made for the purposes of delay. Therefore, Defendants request a 14 day
8 extension of the remaining scheduling deadlines and propose the following new dates for
9 the Court's consideration:

10 June 19, 2017 Last day to file dispositive motions

11 This extension request is filed prior to the expiration of the deadline at issue.

12 **III. CONCLUSION**

13 Defendants' second motion to extend the remaining scheduling deadlines should be
14 granted.

15 DATED this 5th day of June, 2017.

16 Respectfully submitted,

17 ADAM PAUL LAXALT
18 Nevada Attorney General

19 By: /s/ Jared M. Frost
20 JARED M. FROST
21 Senior Deputy Attorney General
22 Nevada State Bar No. 11132
Attorneys for Defendants

23 IT IS SO ORDERED.

24 DATED this 6th day of June, 2017.

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28 UNITED STATE MAGISTRATE JUDGE