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 Plaintiff Legacy Transportation Systems,
 LLC, Angeles Transportation, LLC &
 Leoncio Angeles

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SARAH DIXON,
 Plaintiff,

vs.

LEGACY TRANSPORTATION SYSTEMS,
 LLC,; a Utah Limited Liability Company;
 ANGELES TRANSPORTATION, LLC; a Utah
 Limited Liability Company, LEONCIO
 ANGELES;
 Defendants.

LEGACY TRANSPORTATION SYSTEMS,
 LLC; ANGELES TRANSPORTATION, LLC;
 AND LEONCIO ANGELES,

Third-Party Plaintiffs,

vs.

RYAN RICHARDS,
 Third-Party Defendant.

CASE NO. 2:15-cv-01359

**STIPULATION AND [PROPOSED]
 ORDER FOR EXTENSION OF TIME TO
 COMPLETE DISCOVERY
 (FOURTH REQUEST)**

Defendant/Third-Party Plaintiff Legacy Transportation Systems, LLC; Angeles
 Transportation, LLC; Leoncio Angeles (collectively, “the Legacy Defendants”); Plaintiff Sarah
 Dixon (“Plaintiff”); and Third-Party Defendant Ryan Richards (“Richards”), by and through their

1 respective counsel of record, hereby stipulate and agree to extend discovery for 14 days only the
2 limited purpose of completing four specific depositions only that, due to scheduling issues and the
3 need to travel to Utah, could not be completed before the end of the current discovery cut-off
4 date.

5 **I. Discovery Completed to Date**

6 The Parties have been diligently conducting discovery efforts as follows:

- 7 1. The parties have exchanged initial documents and witness lists;
- 8 2. The parties have conducted written discovery and responded to those requests;
- 9 3. Plaintiff has served Multiple Supplemental Document/Witness Disclosures;
- 10 4. The Legacy Defendants have served Multiple Supplemental Document/Witness
11 Disclosures;
- 12 5. Richards has served Supplemental Document/Witness Disclosures;
- 13 6. Plaintiff has disclosed and served reports from the following experts:
 - 14 a. Chris P. Reyes, MRC, CRC;
 - 15 b. Joseph T. Crouse, Ph.D., MBA, CPA;
 - 16 c. Kathleen Smith, MD
 - 17 d. Brian K. Jones, MSBI, P.E. ACTAR, CXL
- 18 7. The Legacy Defendants have disclosed and served reports from the following experts:
 - 19 a. Michael Dilich, P.E.;
 - 20 b. Carol Hyland, M.A., M.S.
 - 21 c. Dr. Mary Ann Shannon.
 - 22 d. William Anderson, Ph. D., DABFT
- 23 8. Richards has disclosed/designated the following expert witness:
 - 24 a. Trooper Michael Tully
- 25 9. The parties have completed the following depositions:
 - 26 a. Plaintiff Sarah Dixon;
 - 27 b. Third-Party Defendant Ryan Richards;
 - 28 c. Defendant/Third-Party Plaintiff Leoncio Angeles;

- 1 d. Trooper Michael Tully;
- 2 e. Trooper Peter Sorenson;
- 3 f. Out of State Percipient Witness Brent Allen;
- 4 g. Out of State Percipient Witness Darrell Brown
- 5 h. Out of State Percipient Witness Ashley Greving (Melissant);
- 6 i. Out of State Percipient Witness Joshua Annand;
- 7 j. Chris P. Reyes, MRC, CRC;
- 8 k. Joseph T. Crouse, Ph.D., MBA, CPA;
- 9 l. Dan Berkabile
- 10 m. Dr. Ryan Andrew Fan (in City of Industry, CA);
- 11 n. Dr. Christopher Long (at Camp Pendleton in Oceanside, CA)
- 12 o. Brian K. Jones, MSBE, P.E., ACTAR, CXLT
- 13 p. Dr. Christine Maloney
- 14 q. Dr. Kathleen D. Smith

15 **II. Discovery That Remains to Be Completed**

16 1. The parties are requesting discovery be extended solely for the purpose of completing
17 the following depositions:

- 18 a. Percipient Witness Kevin Angeles (in Utah on or about 4/28/17);
- 19 b. Defendant/Third-Party Plaintiff Leoncio Angeles (continuation, in Utah on or
20 about 4/28/17);
- 21 c. Legacy Transportation Systems, LLC 's FRCP 30(B)(6) Witness(es) (in Utah on
22 or about 4/28/17);
- 23 d. Expert Brian Jones MSBE, P.E., ACTAR, CXLT, (in LV and based on his rebuttal
24 report and within the next 2-3 weeks depending on his and counsel's availability)
- 25 e. Subject to this Court's ruling on Plaintiff's Motion to Substitute Expert [ECF No.
26 76], the deposition of Plaintiff's Substitute Expert to be schedule after production
27 of the expert's report, as well as the Legacy Defendants' rebuttal expert's
28 deposition.

1 **III. Reason Why Discovery Remaining Was Not Completed**

2 The parties have diligently completed nearly all discovery necessary to prepare this matter
3 for trial. In that regard, the parties have completed all discovery and depositions but for the those
4 set forth above (not including Plaintiff’s discovery-related Motion [ECF No. 76] that is currently
5 the subject of motion practice). The depositions set forth above simply could not be conducted
6 and/or completed before the expiration of the discovery cut-off date due to the witness’ and/or
7 counsel’s availability. Further, assurances were made by and between counsel that these
8 depositions could be completed; in fact, but for the issues with coordinating all counsel, travel
9 and the availability of witnesses (principally Mr. Angeles, who is a long-haul truck driver), these
10 depositions likely would have been completed before the currently set discovery cut-off date. We
11 have since confirmed the availability of all Utah-based deponents for April 28, 2017. So that
12 these depositions may be completed in this case, most of which have already been noticed, the
13 parties respectfully submit the instant stipulation and proposed order extending the discovery cut-
14 off date by 14 days so these four depositions only may be completed. No other discovery shall be
15 conducted but for these depositions, unless the Court grants Plaintiff’s Motion to Substitute
16 Expert.

17 **Proposed Schedule For Completing Discovery**

- 18 1. Last day to amend pleadings/add parties: **(Closed)**
19 2. Last day to disclose initial expert witnesses: **(Closed)¹**
20 3. Last day to file interim status report: **(Closed)**
21 4. Last day to file rebuttal expert disclosures: **(Closed)²**
22 5. Last day to complete discovery: May 2, 2017 (Monday)
23 6. Last day to file dispositive motions: June 1, 2017 (Thursday)
24 7. Last day to submit pre-trial order: June 30, 2017 (Friday) (If dispositive
25 motions are filed, the joint pretrial order is due thirty (30) days from the entry of the court’s
26 rulings on the motions.)

27 ¹ This deadline is the subject of a Motion to Substitute Expert [ECF No. 76] filed by Plaintiff that is currently set for
hearing on May 8, 2017 [ECF No. 85].

28 ² This deadline may also be impacted by Plaintiff’s Motion to Substitute Expert.

1 Dated this 19th day of April, 2017

Dated this 19th day of April, 2016

2 HALL JAFFE & CLAYTON, LLP

MCCULLOUGH, PEREZ & DOBBERSTEIN LTD.

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Dated this 19th day of April, 2017

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ORDER

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IT IS SO ORDERED:

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UNITED STATES MAGISTRATE JUDGE

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DATED: April 21, 2017

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