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

15 ALLSTATE INSURANCE COMPANY,
16 ALLSTATE PROPERTY & CASUALTY
17 INSURANCE COMPANY, ALLSTATE
18 INDEMNITY COMPANY, and ALLSTATE
19 FIRE & CASUALTY INSURANCE COMPANY,

20 Plaintiffs,

21 vs.

22 MARJORIE BELSKY, MD, MARIO
23 TARQUINO, MD, MARJORIE BELSKY, MD,
24 INC. doing business as, INTEGRATED PAIN
25 SPECIALISTS, and MARIO TARQUINO, MD,
26 INC., DOES 1-100 and ROES 101-200,

27 Defendants.

28 AND RELATED CLAIMS.

Case No. 2:15-cv-02265-MMD-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

(FIFTEENTH REQUEST)

As amended on page 5

Pursuant Plaintiffs ALLSTATE INSURANCE COMPANY, ALLSTATE PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY, and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (hereinafter "Plaintiffs"), and Defendants MARJORIE BELSKY, M.D., MARIO TARQUINO, M.D., MARJORIE BELSKY, M.D., INC. d/b/a INTEGRATED PAIN SPECIALISTS, and MARIO TARQUINO, M.D., INC. (hereinafter "Defendants"), by and through their respective attorneys of record, stipulate and agree

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1 to briefly extend the close of discovery for the limited purpose of accommodating the deposition of
2 Dennis Prince and extend the deadline for dispositive motions beyond the dates set forth in the
3 March 28, 2022 Order Extending Discovery [ECF No. 501].

4 Pursuant to Fed. R. Civ. P. 16(b) and LR 26-4, the parties state the following:

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

- 6 1. Plaintiffs’ Initial Disclosures and Twenty Supplements thereto;
- 7 2. Defendants’ Initial Disclosures and Twelve Supplements thereto;
- 8 3. Plaintiffs’ First Sets of Interrogatories and First and Second Sets of Requests for
9 Production of Documents to Defendants (and supplements thereto);
- 10 4. Defendants’ First and Second Sets of Interrogatories, First Sets of Requests for
11 Admissions, and First, Second, Third, Fourth, Fifth, Sixth and Seventh Set of Requests for
12 Production of Documents to Plaintiffs (and supplements thereto);
- 13 5. Counterdefendants’ First Set of Interrogatories and First Set of Requests for
14 Production of Documents to Counterclaimants (and supplements thereto);
- 15 6. Subpoenas Duces Tecum to five different law firms that represented Plaintiffs with
16 regard to one or more of the underlying bodily injury claims;
- 17 7. Subpoenas Duces Tecum to Nevada State Board of Medical Examiners;
- 18 8. Subpoena Duces Tecum to Mike Smith, P.I.;
- 19 9. Subpoena Duces Tecum to Bobby G and Associates L.L.C.;
- 20 10. Subpoenas Duces Tecum to five different law firms that represent State Farm;
- 21 11. Subpoenas Duces Tecum to National Insurance Crime Bureau;
- 22 12. Subpoena Duces Tecum to seventy-eight (78) different law firms that represented
23 underlying claimants;¹
- 24 13. Subpoena Duces Tecum to Wells Fargo Bank;
- 25 14. Subpoena Duces Tecum to Independent Consulting, LLC;
- 26 15. Subpoena Duces Tecum to DCP Investment Holdings, LLC;
- 27 16. Subpoena Duces Tecum to the Sheldon Group;

28 ¹ To date, Plaintiffs have received responses from thirty-two (32) different law firms.

- 1 17. Subpoena Duces Tecum to Maroon Bells LLC;
- 2 18. Subpoena Duces Tecum to MGMA Management Trust;
- 3 19. Subpoena Duces Tecum to Minimally Invasive Center of Excellence;
- 4 20. Subpoena Duces Tecum to Branson Management Group, Inc.;
- 5 21. Subpoena Duces Tecum to Preferred Medical Solutions;
- 6 22. Subpoena Duces Tecum to Nutile Law;
- 7 23. Subpoena Duces Tecum to Dr. William Douglas Smith;
- 8 24. Subpoena Duces Tecum to Canyon Medical Billing;
- 9 25. Subpoena Duces Tecum to WebMD;
- 10 26. Subpoena Duces Tecum to Healthgrades;
- 11 27. Subpoena Duces Tecum to Sapphire Digital;
- 12 28. Subpoena Duces Tecum to Greenway Health, LLC;
- 13 29. Subpoena Duces Tecum to Deloitte & Touche LLP;
- 14 30. Deposition of Robert A. Gronauer (employee of Bobby G and Associates L.L.C.);
- 15 31. Deposition of Chelci Hudson (employee of the Allstate Parties);
- 16 32. Deposition of Loretta Muir (former employee of IPS) (Days 1 and 2);
- 17 33. Deposition of Marjorie Belsky, M.D. (Days 1, 2, 3 and 4);²
- 18 34. Deposition of Mario Tarquino, M.D. (Days 1 and 2);
- 19 35. Deposition of Fed. R. Civ. P. 30(b)(6) Designees of Allstate Insurance Company:
 - 20 a. Gina Accola (Topic of Inquiry Nos. 2-4, 7 (except for subtopic 7(c)), and 8);
 - 21 b. Melissa Hanfpt (Topic of Inquiry Nos. 6 and 9);
 - 22 c. Aaron Patterson (Topic of Inquiry Nos. 10, 11, 14, and 15);
 - 23 d. Todd Lonker (Topic of Inquiry No. 5); and
 - 24 e. Amanda Dunigan (Topic of Inquiry No. 6);
- 25 36. Deposition of Underlying Claimant J.L.;
- 26 37. Deposition of Underlying Claimant C.V.;
- 27 38. Deposition of Underlying Claimant I.P.;

28 ² The depositions of Dr. Belsky and Dr. Tarquino related to their Counterclaims are in the process of being scheduled and will likely occur in February, 2021 if the case does not resolve at mediation.

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- 1 39. Deposition of Underlying Claimant E.G.;
- 2 40. Deposition of Underlying Claimant V.H.; and
- 3 41. Deposition of Danielle Fernandez (former employee of IPS);
- 4 42. Both parties have exchanged their Initial Expert Witness Disclosures with reports;
- 5 43. Subpoena Duces Tecum to Dennis Prince, Esq.;
- 6 44. Subpoena Duces Tecum to Tableau Software
- 7 45. Subpoena Duces Tecum to John Keating, Esq.;
- 8 46. Deposition of John Keating, Esq. (Days 1 and 2);
- 9 47. Deposition of Dennis Prince, Esq. (Day 1);
- 10 48. Deposition of Allstate 30(b)(6) Representative Neda Krdzalic (Day 1 and 2);
- 11 49. Deposition of Allstate 30(b)(6) Representative Patricia Downs (Days 1-4);
- 12 50. Deposition of Counterclaimant Marjorie Belsky;
- 13 51. Deposition of Allstate 30(b)(6) Representative Melissa Hanpft (Days 1-4);
- 14 52. Deposition of Michael Burist;
- 15 53. Depositions of Plaintiffs' Experts:
 - 16 a. Deposition of Dr. Paul Kim.
 - 17 b. Deposition of Dr. Sean Mackey.
 - 18 c. Deposition of Dr. Kurt Miller.
 - 19 d. Deposition of Stuart Harden.
- 20 54. Depositions of Defendants' Experts:
 - 21 a. Deposition of Harold Haller, Ph.D.
 - 22 b. Deposition of Michael Miscoe.
 - 23 c. Deposition of Dwight Duncan.
 - 24 d. Deposition of Dr. Gregory Polston.
 - 25 e. Deposition of Peter Wetherall.
- 26 55. Deposition of Allstate Employee Aaron Patterson;
- 27 56. Deposition of Allstate Employee John Griffith; and
- 28 57. Deposition of Allstate Employee Kristen Guzman.

.....

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B. DISCOVERY THAT REMAINS TO BE COMPLETED:

1. The completion of the deposition of Dennis Prince, which is scheduled to occur on October 10, 2022.

C. REASONS WHY THE REMAINING DISCOVERY WAS NOT COMPLETED:

Despite discovery in this matter being greatly impacted by the Covid-19 pandemic, the Parties have now nearly completed discovery. All that remains is the second day of the deposition of Dennis Prince, Esq., which has been difficult to schedule given the deponent’s trial schedule. The Parties believe this will be their final request for an extension and respectfully request an extension of deadlines as outlined below:

D. PROPOSED SCHEDULE FOR COMPLETING THE REMAINING DISCOVERY:

The parties propose the following discovery deadlines:

Last Day to Complete Fact Discovery, Only for the

Deposition of Dennis Prince: October 10, 2022

Deadline to Complete Expert Depositions: UNCHANGED

Deadline for Initial Expert Disclosures: UNCHANGED

Deadline for Rebuttal Expert Disclosures: UNCHANGED

Motions to Amend Pleadings/Add Parties: UNCHANGED

Deadline to File Dispositive Motions: ~~January 13, 2023~~ **December 9, 2022** - 60 days after the close of discovery, as granted in (ECF No. 447 at 6 n. 10)

..... Deadline for pretrial order: **January 9, 2023**. Under Local Rule 26-1(5), if dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

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IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 29th day of August, 2022.

DATED this 29th day of August, 2022.

FAIN ANDERSON VANDERHOEF
ROSENDAHL O'HALLORAN SPILLANE
PLLC

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IT IS SO ORDERED as amended by the Court on page 5.


UNITED STATES MAGISTRATE JUDGE

DATED: 8/30/2022