

1 BRIAN P. CLARK  
 Nevada Bar No. 4236  
 2 LUKAS B. McCOURT  
 Nevada Bar No. 11839  
 3 CLARK MCCOURT  
 7371 Prairie Falcon Road, Ste. 120  
 4 Las Vegas, Nevada 89128  
 Telephone: (702) 474-0065  
 5 Facsimile: (702) 474-0068  
 bpc@clarkmccourt.com  
 6 lmccourt@clarkmccourt.com  
 Attorneys for Plaintiff  
 7

8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 JEFFREY BENNETT, individually,  
 11 Plaintiff,

Case No. 2:16-cv-00021-JAD-VCF

12 v.

ECF No. 37

13 ALLSTATE FIRE AND CASUALTY INSURANCE  
 COMPANY, individually; and DOES I through X;  
 14 and ROE CORPORATIONS I through X, inclusive,  
 15 Defendants.

16 **STIPULATION TO EXTEND DEADLINE FOR PLAINTIFF TO RESPOND TO**  
 17 **DEFENDANT’S MOTION TO BIFURCATE TRIAL (First Request)**

18 Pursuant to LR-6-1, Plaintiff Jeffrey Bennett and Defendant Allstate Fire and Casualty  
 19 Insurance Company, by and through their respective counsel of record, respectfully submit the  
 20 following stipulation requesting a two week extension for Plaintiff to file his Response To  
 21 Defendant’s Motion To Bifurcate Trial, to and including May 5, 2017. Defendant’s motion was  
 22 filed April 6, 2017. In support of this Stipulation, the parties state as follows:

23 **I. Introduction**

24 Plaintiff is a first party claimant for underinsured motorist benefits under a policy of  
 25 insurance with Defendant Allstate Fire and Casualty Insurance Company. The discovery cut off in  
 26 the case was March 9, 2017. The dispositive motion deadline was April 10, 2017, and both parties  
 27 have motions pending before the court.

28 ///

1 **II. Reason for Extension**

2 The primary basis for Defendant’s motion was the potential prejudicial effect the  
3 presentation of bad faith evidence would have on the jury if the case was not bifurcated. At the  
4 present time, neither party has requested a jury, thereby mooting the potential prejudice and  
5 reducing the issues of Fed.R.Civ.P. 42(b) convenience and economy. The parties are considering  
6 entering into a stipulation to have the case tried before a jury, and if not, whether Defendant wants  
7 to proceed with the motion.

8 **AGREED AND ACCEPTED:**

9 DATED this 20<sup>th</sup> day of April, 2017.


DATED this 20<sup>th</sup> day of April, 2017.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

\_\_\_\_\_/s/\_\_\_\_\_  
Brian P. Clark  
Lukas B. McCourt  
Clark McCourt  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, NV 89128  
Attorneys for Plaintiff

\_\_\_\_\_/s/\_\_\_\_\_  
John T. Keating  
Nevada Bar No. 6373  
Keating Law Group  
9130 W. Russell Road, Suite 200  
Las Vegas, NV 89148  
Attorney for Defendant

**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT COURT JUDGE

Dated: 4-21-17 \_\_\_\_\_