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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 THE ESTATE OF )  
STEPHEN THOMAS CARY, JR., )

12 Plaintiff, )

13 v. )

14 UNITED STATES OF AMERICA, )

15 Defendant. )  
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Case No. 2:16-cv-00067-JAD-GWF

**STIPULATION TO EXTEND  
SCHEDULING ORDER DEADLINES**

**(Fifth Request)**

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18 Pursuant to Local Rules 6-1, 26-4, and Fed. R. Civ. P. 6(b), the parties stipulate, subject  
19 to this Court’s approval, that the deadlines in the approved discovery schedule be extended as  
20 set forth below. The parties assert that good cause exists for the requested extension.

21 **1. Status Report.** Discovery is currently set to close on **December 15, 2017**. This  
22 request is made more than 21 days prior to that cutoff date solely for the purpose of extending  
23 the deadline to conduct depositions while the parties are actively engaged in settlement  
24 negotiations. The parties assert that good cause exists to extend the deadline as set forth in  
25 Paragraph 4. Additionally, should this stipulation be approved by the Court, it will facilitate and  
26 increase the possibility of resolution without the parties having to balance upcoming deadlines.  
27 The parties do not anticipate seeking any further extension of the discovery period should the  
28 Court grant this stipulation.

1           **2.     Status/Discovery Completed.** The parties have completed the following  
2 discovery:

- 3           • Initial and supplemental disclosures have been made pursuant to Fed. R. Civ. P.  
4           26(a)(1)(C).
- 5           • The parties have exchanged written discovery.
- 6           • The parties have exchanged expert witness disclosures.
- 7           • Depositions of fact witnesses.

8           **3.     Discovery remaining.** The only outstanding discovery is depositions of expert  
9 witnesses and potentially Plaintiff's treating physicians and health care providers, all of whom  
10 are/were employed by Defendant.

11           **4.     Reasons for extension.** The parties request this extension to provide them with  
12 the time to facilitate potential resolution of the matter. The parties are actively engaged in  
13 settlement negotiations and both parties are hopeful that a resolution can be reached in the near  
14 future. The parties continue to negotiate in good faith and request this extension to avoid  
15 potentially costly expert depositions.

16           **5.     Revised discovery schedule.** The parties stipulate and agree to a **90-day**  
17 extension of the discovery deadline. The parties agree to the following revisions to the  
18 discovery plan and ask that the Court adopt it as the revised scheduling order in this case.

19           **A.     Depositions:** The parties agree and respectfully request that the discovery  
20 cutoff date be extended from **December 15, 2017 to March 15, 2018**, for the limited purpose of  
21 completing depositions.

22           **B.     Dispositive Motions:** The parties request that the Court extend the  
23 deadline to file dispositive motions, if any, to **April 16, 2018**<sup>1</sup>, which is 30 days after the  
24 proposed discovery cutoff.

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<sup>1</sup> Deadlines falling on a Saturday, Sunday or legal holiday have been rolled to the next day that is not a  
Saturday, Sunday, or legal holiday pursuant to Fed. R. Civ. P. 6(a)(1)(C).

1           **C.     Pretrial Order:** The parties request that the Court extend the deadline to  
2 file the Pretrial Order to **May 16, 2018**, which is 30 days after the deadline for filing dispositive  
3 motions. However, if any dispositive motions are filed, then the Pretrial Order shall be due 30  
4 days after decisions on such motion(s). Disclosures under Fed. R. Civ. P. 26(a)(3) and any  
5 objections thereto shall be included in the Joint Pretrial Order.

6           Respectfully submitted this 20th day of November 2017.

7 PAUL PADDA LAW, PLLC

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8 /s/ Paul Padda

/s/ Lindsay M. Roberts

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16           **IT IS SO ORDERED:**

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**UNITED STATES MAGISTRATE JUDGE**

19           **DATED:** 11/21/2017  
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