

1 BRENDA H. ENTZMINGER, ESQ.
 Nevada Bar No. 9800
 2 MELANIE L. THOMAS, ESQ.
 Nevada Bar No. 12576
 3 **PHILLIPS, SPALLAS & ANGSTADT LLC**
 504 South Ninth Street
 4 Las Vegas, Nevada 89101
 (702) 938-1510—Telephone
 5 (702) 938-1511—Facsimile
bentzminger@psalaw.net
 6 mthomas@psalaw.net
Attorneys for Defendant
 7 *Wal-Mart Stores, Inc.*

8
 9 UNITED STATES DISTRICT COURT
 10 DISTRICT OF NEVADA

11 LINDA FOWLER,

12 Plaintiff,

13 v.

14 WAL-MART STORES, INC., a Delaware
 Limited Liability Company dba WALMART
 SUPER CENTER #5070; DOES I through X
 and ROE CORPORATIONS VI through X,
 15 inclusive,

16 Defendants.

Case No.: 2:16-cv-00450-JCM-GWF

STIPULATION ESTABLISHING
PARAMETERS FOR FRCP 34 SITE
INSPECTION BY PLAINTIFF LINDA
FOWLER

18 COMES NOW, Plaintiff LINDA FOWLER, by and through her counsel of record, the law
 19 firm of INJURY LAWYERS OF NEVADA, and Defendant WAL-MART STORES, INC.
 20 (“Walmart”), by and through its counsel of record, the law firm of PHILLIPS, SPALLAS &
 21 ANGSTADT LLC, and pursuant to the provisions of FRCP 34(a)(2)(b)(1), the parties agree, and
 22 hereby stipulate, that the inspection shall be conducted within the following parameters:

23 At 11:00 a.m., on October 13, 2016, at the premises of Walmart Store No. 5070, located at
 24 5200 South Fort Apache, Las Vegas, Nevada 89148, Defendant shall permit Plaintiff, Linda Fowler;
 25 Plaintiff’s counsel, Jared Anderson, Esq.; and Plaintiff’s designated liability expert, Frank Perez,
 26 Ph.D. (collectively, “Plaintiff’s group”) entry upon designated land or other property in control of the
 27 party upon whom request is served for the express purposes of inspection, measurement, surveying,
 28 photography, and non-destructive and non-invasive testing of the property, specifically a section of the

1 floor in the Home and Garden area where the Plaintiff allegedly fell on October 27, 2013, and the
2 surrounding area for a distance of up to twenty (20) feet in any or all directions from the location of
3 Plaintiff's alleged fall, using only manual and visual inspection, measuring and surveying tools, such
4 as a hand-operated English XL device or similar device to measure coefficient of friction.

5 Members of Plaintiff's group may utilize still photography of the area upon which Plaintiff fell
6 on October 27, 2013, and the surrounding area for a distance of up to twenty (20) feet in any or all
7 directions from the location of Plaintiff's alleged fall, but may not create a videotape or recording of
8 any kind. No member of Plaintiff's group shall speak to any member of Walmart personnel during the
9 inspection. The inspection shall be completed within two (2) hours.

10 DATED this 11th day of October, 2016.

DATED this 11th day of October, 2016.

11 **INJURY LAWYERS OF NEVADA**

PHILLIPS, SPALLAS & ANGSTADT LLC

12
13 /s/ Jared Anderson
14 JARED ANDERSON, ESQ.
15 Nevada Bar No. 9747
16 6900 Westcliff Drive, Suite 707
Las Vegas, Nevada 89145
(702)868-8888

/s/ Melanie L. Thomas
MELANIE L. THOMAS
Nevada Bar No. 12576
504 South Ninth Street
Las Vegas, Nevada 89101
(702) 938-1510

17 *Attorneys for Plaintiff*
18 *Linda Fowler*

Attorneys for Defendant
Wal-Mart Stores, Inc.

19
20
21 IT IS SO ORDERED.

22 DATED this ^{13th} day of _____ October _____, 2016.

23 
24 _____
UNITED STATES MAGISTRATE JUDGE