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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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WESCO INSURANCE CO.,

Plaintiff,

v.

SMART INDUSTRIES CORP.,

Defendants.

Case No.: 2:16-cv-01206-JCM-EJY

**ORDER**

11 Before the Court is Third Party Plaintiff Hi-Tech Security Inc.'s Joint Stipulation to Join Sara  
12 Rodriguez, natural parent and guardian ad litem of Jacob Wyman, as a Plaintiff (ECF No. 128). The  
13 Court has considered the Joint Stipulation, the Minutes of Proceedings before Judge George W.  
14 Foley on the Consolidated Defendants Hi-Tech Security Inc. and William Roseberrys' Motion for  
15 Leave to File Third Party Complaint Against Jacob Wyman, or in the Alternative, Motion for Joinder  
16 of Jacob Wyman as a Compulsory Plaintiff, or in the Alternative, Motion to File Complaint for  
17 Interpleader (ECF No. 78); Consolidated Defendants Hi-Tech Security Inc. and William Roseberrys'  
18 Motion to Stay Deadline for Filing Joint Pretrial Order (ECF No. 79); and Defendant Smart  
19 Industries Corp.'s Tenth Stipulation for Extension of Time for Filing Pretrial Order (ECF No. 93);  
20 as well as the documents referred to herein. Upon consideration of each of these documents, the  
21 Court finds that the parties' instant Joint Stipulation is deficient.

22 Accordingly,

23 IT IS HEREBY ORDERED that Joint Stipulation to Join Sara Rodriguez, natural parent and  
24 guardian ad litem of Jacob Wyman, as a Plaintiff (ECF No. 128) is GRANTED in part and DENIED  
25 in Part.

26 IT IS FURTHER ORDERED that the Joint Stipulation is GRANTED as follows: Sara  
27 Rodriguez, natural parent and guardian ad litem of Jacob Wyman, is joined as a plaintiff to this  
28 matter. In all other respects, the Joint Stipulation is DENIED.

1 IT IS FURTHER ORDERED that the New Plaintiff's Complaint (attached to the Joint  
2 Stipulation as Exhibit 1), be detached and filed separately pursuant to Local Rules of Practice LR IC  
3 2-2(a)(3)(A).

4 IT IS FURTHER ORDERED that the Answers previously filed in response to New Plaintiff's  
5 Complaint in state court Case No. A-17-756403-C by Defendants Smart Industries Corp. d/b/a Smart  
6 Industries Corp., Mfg. (Exhibit 2); Hi-Tech Security Inc. (Exhibit 3); and William Roseberry  
7 (Exhibit 4) also be individually detached and filed separately. *See* LR IC 2-2(a)(3)(A).

8 IT IS FURTHER ORDERED that the parties comply with the Court's July 30, 2019 Order  
9 (ECF No. 125) requiring Sara Rodriguez, guardian ad litem for Jacob Wyman, to file a consent to  
10 removal no later than August 23, 2019.

11 IT IS FURTHER ORDERED that a Joint Discovery Plan and Scheduling Order is to be filed  
12 no later than September 4, 2019. If no Joint Discovery Plan and Scheduling Order is filed by or  
13 before this date, the parties shall submit separate discovery plans and scheduling order proposals as  
14 of this same date. The joint or each individually submitted discovery plan and scheduling order shall  
15 include a description of all discovery completed applicable to the issues pending in this case (whether  
16 completed in the state or this instant action), all discovery left to be completed, and the amount of  
17 time needed to complete such discovery. All other requirements of Local Rule 26-1(b) shall also be  
18 met.

19 IT IS FURTHER ORDERED that the parties submit a request to amend the caption of the  
20 case so as to accurately reflect the alignment and composition of the parties. *See* Fed. R. Civ. P.  
21 10(a).

22 IT IS FINALLY ORDERED that Defendants Hi-Tech and William Roseberrys' Motion for  
23 Joinder of Jacob Wyman as a Compulsory Plaintiff (ECF No. 78) is moot, and any dates set  
24 pertaining to such motion are vacated.

25 DATED THIS 16th day of August, 2019.

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ELAYNA J. YOUCHAK  
United States Magistrate Judge