



1 **SAO**  
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 14 *Attorneys for Plaintiffs*  
 15 *Jennifer Wyman, Bear Wyman,*  
 16 *and the Estate of Charles Wyman*

11 **UNITED STATES DISTRICT COURT**  
 12 **DISTRICT OF NEVADA**

13 WESCO INSURANCE COMPANY, as subrogee  
 14 of its insured, NICKELS AND DIMES  
 15 INCORPORATED,

16 Plaintiff,

17 vs.

18 SMART INDUSTRIES CORPORATION d/b/a  
 19 SMART INDUSTRIES CORP, MFG, an Iowa  
 20 corporation,

21 Defendants.

22 JENNIFER WYMAN, individually; BEAR  
 23 WYMAN, a minor, by and through his natural  
 24 parent JENNIFER WYMAN; JENNIFER  
 25 WYMAN and VIVIAN SOOF, as Joint Special  
 26 Administrators of the ESTATE OF CHARLES  
 27 WYMAN; and SARA RODRIGUEZ, natural  
 28 parent and guardian ad litem of JACOB WYMAN,

Plaintiffs,

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

**STIPULATION AND ORDER FOR**  
**EXTENSION OF TIME FOR**  
**PLAINTIFFS TO FILE REPLIES TO**  
**PLAINTIFFS' MOTION TO**  
**WITHDRAW ALL NEGLIGENCE**  
**CLAIMS AND COUNTERMOTION**  
**FOR RECONSIDERATION (First**  
**Request)**

CONSOLIDATED WITH  
 Case No. 2:16-cv-02378-JCM-CWH

1 vs.

2 SMART INDUSTRIES CORPORATION, d/b/a  
3 SMART INDUSTRIES CORP., MFG, an Iowa  
4 corporation, HI-TECH SECURITY INC., a Nevada  
5 corporation; WILLIAM ROSEBERRY;  
6 BOULEVARD VENTURES, LLC, a Nevada  
7 corporation; DOES I thought V; DOES 1 thought  
8 10; BUSINESS ENTITIES I through V; and ROE  
9 CORPORATIONS 11 through 20, inclusive,

8 Defendants.

9  
10 HI-TECH SECURITY, INC; and WILLIAM  
11 ROSEBERRY,

12 Third-Party Plaintiffs,

13 vs.

14 NICKELS AND DIMES INCORPORATED,

15 Third-Party Defendant.  
16

17 On August 25, 2020, Wyman Plaintiffs’ filed their Motion to Withdraw All Negligence  
18 Based Claims (ECF No. 270). On September 8, 2020, Defendant Smart Industries Corporation  
19 filed a Stipulation and Order to extend its Opposition deadline until September 15, 2020 (ECF  
20 No. 274). Wyman Plaintiffs’ Reply to Defendant Smart Industries Corporation’s Conditional  
21 Opposition to Wyman Plaintiffs’ Motion to Withdraw All Negligence Based Claims (ECF No. 278)  
22 is currently due September 22, 2020. Counsel for Defendant Smart and Wyman Plaintiffs have  
23 agreed to a one-week extension of time for Wyman Plaintiffs to file their Reply in Support of  
24 their Motion, which would make the response due on September 29, 2020.

25 On August 18, 2020, Defendant Smart Industries filed its Motion for Reconsideration of  
26 the Court’s July 22, 2020 Order (ECF No. 200) Regarding Special Damages (ECF No. 269). On  
27 September 1, 2020, Wyman Plaintiffs filed their Opposition to Defendant Smart’s Motion for  
28

1 Reconsideration and their Countermotion for Reconsideration (ECF No. 271). On September 8,  
 2 2020, Defendant Smart Industries Corporation filed a Stipulation and Order to extend the  
 3 deadline to its Reply in Support of its Motion for Reconsideration and Opposition to Wyman  
 4 Plaintiffs’ Countermotion until September 15, 2020 (ECF No. 274). Wyman Plaintiffs’ Reply to  
 5 Defendant Smart Industries Corporation’s Opposition to Wyman Plaintiffs’ Countermotion (ECF  
 6 No. 277) is currently due September 22, 2020. Counsel for Defendant Smart and Wyman  
 7 Plaintiffs have agreed that the Wyman Plaintiffs will file its Reply in Support of their  
 8 Countermotion on September 29, 2020.

9           This Stipulation is submitted in good faith and is not interposed for purposes of delay.  
 10 Due to unexpected delays and having not received Defendant Smart’s Oppositions until  
 11 September 15, 2020, with this Court’s approval, the parties hereby agree that that the deadline  
 12 for Wyman Plaintiffs to file the above-mentioned briefs, shall be extended by one week, or such  
 13 other time as deemed appropriate by the Court. As such, the deadline for filing said briefs shall  
 14 be September 29, 2020.

15           This is the first request to extend the deadline for filing Wyman Plaintiffs’ Replies in  
 16 Support of their Motion to Withdraw All Negligence Claims and Countermotion for  
 17 Reconsideration.

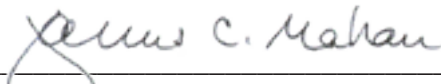
18           Respectfully submitted by: 19           DATED this 22nd day of September, 2020. 20 21 <u>/s/ Tracy A. Eglet, Esq.</u> 22           TRACY A. EGLET, ESQ. 23           Nevada Bar No. 6419 24           JAMES A. TRUMMELL, ESQ. 25           Nevada Bar No. 14127 26           BRITTNEY R. GLOVER, ESQ. 27           Nevada Bar No. 15412 28           EGLET ADAMS 400 South Seventh Street, Suite 400 Las Vegas, Nevada 89101 <i>Attorneys for Plaintiffs</i>	Approved as to Form and Content by: DATED this 22nd day of September, 2020.  <u>/s/ Joseph R. Meservy, Esq.</u> DAVID BARRON, ESQ. Nevada Bar No. 142 WILLIAM H. PRUITT, ESQ. Nevada Bar No. 6783 JOSEPH R. MESERVY, ESQ. Nevada Bar No. 14088 BARRON & PRUITT, LLP 3890 West Ann Road North Las Vegas, Nevada 89031 <i>Attorneys for Defendant          Smart Industries Corporation</i>
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**ORDER**

Based upon the Stipulation of the parties hereto, and for good cause, IT IS HEREBY ORDERED, that the Stipulation to Extend hereinabove is hereby Granted.

DATED September 23, 2020.

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

**From:** [Brittney Glover](#)  
**To:** [Kera Buckley](#)  
**Subject:** FW: Wyman - SAO Extend Reply Deadline  
**Date:** Tuesday, September 22, 2020 10:58:44 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[20200922\\_SAOExtendDeadlines.docx](#)

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Good morning,

Can you please get this stipulation on file [REDACTED]

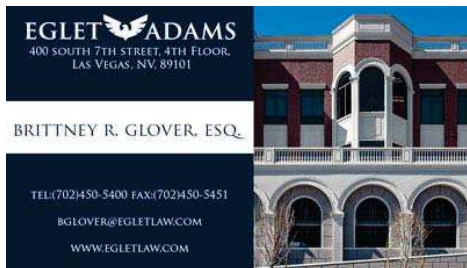
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**From:** Joseph R. Meservy <jmeservy@lvnlaw.com>  
**Sent:** Tuesday, September 22, 2020 10:39 AM  
**To:** Brittney Glover <bglover@egletlaw.com>  
**Cc:** Deborah Sagert <dsagert@lvnlaw.com>; MaryAnn Dillard <MDillard@lvnlaw.com>  
**Subject:** RE: Wyman - SAO Extend Reply Deadline

Thanks for making the changes Brittney. You may affix my e-signature.

Joseph R. Meservy, Esq.  
**Barron & Pruitt, LLP**  
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