



1 **SAO**

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Attorneys for Plaintiffs

9 *Jennifer Wyman, Bear Wyman,*

and the Estate of Charles Wyman

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12
13 WESCO INSURANCE COMPANY, as subrogee
14 of its insured, NICKELS AND DIMES
INCORPORATED,

15 Plaintiff,

16 vs.

17
18 SMART INDUSTRIES CORPORATION d/b/a
19 SMART INDUSTRIES CORP, MFG, an Iowa
corporation,

20 Defendants.

21
22 JENNIFER WYMAN, individually; BEAR
23 WYMAN, a minor, by and through his natural
parent JENNIFER WYMAN; JENNIFER
24 WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
25 WYMAN; and SARA RODRIGUEZ, natural
parent and guardian ad litem of JACOB WYMAN,

26
27 Plaintiffs,
28

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

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE
PLAINTIFFS' REPLIES TO THEIR
MOTIONS IN LIMINE NOS. 5, 6,
AND 7 (First Request)**

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

EGLLET ADAMS

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,

Defendants.

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 October 1, 2020, Wyman Plaintiffs filed their Motion in Limine No. 5 to Preclude
18 Any Argument that the Subject Arcade Machine Defect Did Not Exist When it Left Smart
19 Industries Corporation’s Possession (ECF No. 288) and Motion in Limine No. 6 to Exclude
20 Argument or Reference that the Junction Box, Receptable, and Other Component Parts
21 Contained Therein Were Repaired and/or Replaced as Such Argument Lacks Foundation (ECF
22 No. 289). On October 6, 2020, Wyman Plaintiffs filed their Motion in Limine No. 7 to Exclude
23 Charles Wyman’s Toxicology Report and Any Argument or Reference to his Alleged Drug Use
24 (ECF No. 294). On October 15, 2020 and October 20, 2020, Defendant Smart Industries
25 Corporation filed two separate Stipulation and Orders for an Extension of Time to file its
26 Oppositions to Plaintiffs’ Motions in Limine until October 22, 2020 (ECF Nos. 299 and 301).
27 On October 22, 2020, Defendant Smart Industries Corporation filed its Oppositions to Plaintiffs’
28

EGLET ADAMS

1 Motions in Limine (ECF Nos. 303, 305, and 306). Wyman Plaintiffs’ Replies to Defendant Smart
2 Industries Corporation’s Oppositions to Wyman Plaintiffs’ Motions in Limine are currently due
3 October 29, 2020. Wyman Plaintiffs have requested a one-week extension of time to file their
4 Replies in Support of their Motions in Limine. Defendant Smart has agreed to Wyman Plaintiffs’
5 request, which would make the replies due on November 5, 2020.

6 This Stipulation is submitted in good faith and is not interposed for purposes of delay.
7 Due to unexpected delays and having not received Defendant Smart’s Oppositions until October
8 22, 2020, with this Court’s approval, the parties hereby agree that that the deadline for Wyman
9 Plaintiffs to file the above-mentioned briefs, shall be extended by one week, or such other time
10 as deemed appropriate by the Court. As such, the deadline for filing said briefs shall be
11 November 5, 2020.

12 Respectfully submitted by:

Approved as to Form and Content by:

13 DATED this 29th day of October, 2020.

DATED this 29th day of October, 2020.

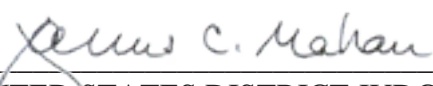
14 /s/ Tracy A. Eglet, Esq.
15 TRACY A. EGLET, ESQ.
16 Nevada Bar No. 6419
17 JAMES A. TRUMMELL, ESQ.
18 Nevada Bar No. 14127
19 BRITTNEY R. GLOVER, ESQ.
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21 EGLET ADAMS
22 400 South Seventh Street, Suite 400
23 Las Vegas, Nevada 89101
24 Attorneys for Plaintiffs

/s/ Joseph R. Meservy, Esq.
DAVID BARRON, ESQ.
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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
Attorneys for Defendant
Smart Industries Corporation

ORDER

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

25 DATED October 30, 2020.

26 
27 _____
28 UNITED STATES DISTRICT JUDGE

From: [Joseph R. Meservy](mailto:Joseph.R.Meservy)
To: [Brittney Glover](mailto:Brittney.Glover)
Cc: [MaryAnn Dillard](mailto:MaryAnn.Dillard); [James Trummell](mailto:James.Trummell); [Kiera Buckley](mailto:Kiera.Buckley)
Subject: RE: Wyman, et. al. v Smart Industries - Extension to File Replies
Date: Thursday, October 29, 2020 9:21:47 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

You are welcome. Thanks for the edit, you may affix my e-signature.

Sincerely,
Joseph R. Meservy, Esq.
Barron & Pruitt, LLP
LAWYERS

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From: Brittney Glover [mailto:bglover@egletlaw.com]
Sent: Thursday, October 29, 2020 6:00 AM
To: Joseph R. Meservy <jmeservy@lvnvlaw.com>
Cc: MaryAnn Dillard <MDillard@lvnvlaw.com>; James Trummell <jtrummell@egletlaw.com>; Kiera Buckley <kbuckley@egletlaw.com>
Subject: RE: Wyman, et. al. v Smart Industries - Extension to File Replies

Joseph,

Your requested change has been made.

Thank you,
Brittney

From: Joseph R. Meservy <jmeservy@lvnvlaw.com>
Sent: Wednesday, October 28, 2020 5:49 PM
To: Brittney Glover <bglover@egletlaw.com>
Cc: MaryAnn Dillard <MDillard@lvnvlaw.com>; James Trummell <jtrummell@egletlaw.com>; Kiera Buckley <kbuckley@egletlaw.com>
Subject: RE: Wyman, et. al. v Smart Industries - Extension to File Replies

Hi Brittney:

[REDACTED]

With that change you may affix my e-signature.

Sincerely,
Joseph R. Meservy, Esq.
Barron & Pruitt, LLP
LAWYERS

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From: Brittney Glover [mailto:bglover@egletlaw.com]
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Cc: MaryAnn Dillard <MDillard@lvnvlaw.com>; James Trummell <jtrummell@egletlaw.com>; Kiera Buckley <kbuckley@egletlaw.com>
Subject: Wyman, et. al. v Smart Industries - Extension to File Replies


Hi Counsel,

[REDACTED]

Thank you,

Brittney R. Glover, Esq.
p: (702) 450-5400
w: www.egletlaw.com



a: 400 South 7th Street, Suite #400 Las Vegas, NV 89101


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