

CLIFF W. MARCEK, ESQ.
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1 Cliff W. Marcek, Esq.
Nevada Bar No. 5061
2 CLIFF W. MARCEK, P.C.
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3 Las Vegas, NV 89101
Telephone : (702) 366-7076
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5 Attorney for Plaintiffs
SARA RODRIGUEZ, parent and guardian
6 of JACOB WYMAN

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 WESCO INSURANCE COMPANY, as subrogee
10 of its insured, NICKELS AND DIMES
INCORPORATED,

11 Plaintiff,

12 vs.

13 SMART INDUSTRIES CORPORATION, dba
14 SMART INDUSTRIES CORP., MFG., an Iowa
corporation,

15 Defendants.

16 JENNIFER WYMAN, individually; BEAR
17 WYMAN, a minor, by and through his natural
parent JENNIFER WYMAN; JENNIFER
18 WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
19 WYMAN; and SARA RODRIGUEZ, natural
parent and guardian ad litem of JACOB
WYMAN,

20 Plaintiffs,

21 vs.

22 SMART INDUSTRIES CORPORATION dba
23 SMART INDUSTRIES CORP., MFG, an Iowa
Corporation; HI-TECH SECURITY INC, a
24 Nevada Corporation; WILLIAM ROSEBERRY;
BOULEVARD VENTURES, LLC, a Nevada
25 Corporation; DOES I through V; DOES 1
through 10; BUSINESS ENTITIES I through V;
and ROE CORPORATIONS 11 through 20,
inclusive,

26 Defendants.

CASE NO. 2:16-cv-01206-JCM-EJY

27 **STIPULATION AND ORDER TO
28 EXTEND TIME TO FILE A JOINT
PRETRIAL ORDER**

CONSOLIDATED WITH CASE
NO. 2:16-cv-02378-JCM-CWH

1	HI-TECH SECURITY INC; and WILLIAM ROSEBERRY,
2	Third-Party Plaintiffs,
3	vs.
4	NICKELS AND DIMES INCORPORATED,
	Third-Party Defendant.

5 COMES NOW, Plaintiffs, SARA RODRIGUEZ parent and guardian of JACOB
6 WYMAN, by and through their counsel of record, Cliff W. Marcek, Esq and Thomas
7 Schwartz, Esq.; Jennifer Wyman, Bear Wyman and the Estate of Charles Wyman by and
8 through their attorney of record, Tracy A. Eglet, Esq. of EGLET ADAMS LAW OFFICE;
9 Smart Industries Corporation, by and through its attorney of record William Pruit, Esq of
10 BARRON AND PRUITT; Wesco Insurance Company by and through its attorney Peter
11 Duboswky, Esq. and hereby agree and stipulate to extend the time to file the Joint Pretrial
12 Order.

13 On September 16, 2021, the Honorable Judge James C. Mahan filed a Minute Order
14 stating the parties were to submit a Joint Pretrial Order in compliance with Local Rule 16-4
15 within 30 days. The Joint Pretrial Order is due October 18, 2021.

16 The parties have conducted extensive discovery and there are many documents to
17 review. In addition, there have been numerous depositions, written discovery and each side
18 has disclosed expert witnesses. Due to the amount of potential evidence, the parties need more
19 time to prepare and file the Joint Pretrial Order.

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1 The parties are circulating drafts for the joint pretrial order, but it is unlikely will be
2 completed by Monday, October 18, 2021.

3 The parties above request that the court approve of this stipulation and order giving the
4 parties an additional two weeks to submit the Joint Pretrial Order.

5 DATED this 15 day of October, 2021.

DATED this 15 day of October, 2021.

6
7 /s/Cliff W. Marcek

/s/William Pruit

8 CLIFF W. MARCEK, ESQ.
9 Nevada Bar No. 5061
10 **CLIFF W. MARCEK, P.C.**
11 411 E. Bonneville Ave.
12 Las Vegas, Nevada 89101
13 *Attorneys for Plaintiffs*
14 *SARA RODRIQUEZ, parent and guardian*
15 *Of JACOB WYMAN*

WILLIAM PRUIT, 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

16 DATED this 15_ day of October, 2021.

DATED this 15 day of October, 2021.


17 /s/Tracy A. Eglet

/s/Peter Duboswky

18 TRACY A. EGLET, ESQ.
19 Nevada Bar No. 6419
BRITTNEY R. GLOVER, ESQ.
Nevada Bar No. 15412
EGLET ADAMS
400 South Seventh Street, Suite 400
Las Vegas, Nevada 89101
Attorneys for Plaintiffs
JENNIFER WYMAN, BEAR WYMAN; and
ESTATE OF CHARLES WYMAN

PETER DUBOSWKY, ESQ.
Nevada Bar No. 4972
AMANDA VOGLER-HEATON, ESQ.
Nevada Bar No. 13609
DUBOWSKY LAW OFFICE, CHTD
300 South Fourth Street, Suite 1020
Las Vegas, Nevada 89101
Attorneys for WESCO INSURANCE CO.

IT IS SO ORDERED October 15, 2021.


UNITED STATES DISTRICT JUDGE
JAMES C. MAHAN

Cliff Marcek

From: Peter Dubowsky <peter@dubowskylaw.com>
Sent: Friday, October 15, 2021 10:24 AM
To: Cliff Marcek; Brittney Glover; MaryAnn Dillard; dcoil@ggrmlawfirm.com; Joseph Meservy
Cc: Kiera Buckley
Subject: RE: Stipulation

You have my authorization.

Peter Dubowsky, Esq.
DUBOWSKY LAW OFFICE, CHTD.
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10th Floor- Suite 1020
Las Vegas, NV 89101
Ph. (702) 360.3500
Fx. (702) 360.3515
www.dubowskylaw.com



From: Cliff Marcek
Sent: Friday, October 15, 2021 10:20 AM
To: Brittney Glover; MaryAnn Dillard; dcoil@ggrmlawfirm.com; Joseph Meservy; peter@dubowskylaw.com
Cc: Kiera Buckley
Subject: RE:Stipulation

Brittney, MaryAnn, Joseph and Peter:

Attached is the proposed stipulation and order to extend the deadline for the Joint Pretrial Order. Please review and sign or if the court will allow electronic signatures, give me permission to submit it. I sent it in MSWord, but don't change the document. If you have any changes let me know and I will make them.

We should file this today so get back to me asap. Thanks.

CLIFF W. MARCEK, P.C.
411 E. Bonneville, Suite 390
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Telephone: (702) 366-7076
Facsimile: (702) 366-7078
Email: cwmarcek@marceklaw.com (Firm)
Board Certified Personal Injury Law Specialist
American Association of Justice

Cliff Marcek

From: MaryAnn Dillard <MDillard@lvnlaw.com>
Sent: Friday, October 15, 2021 10:58 AM
To: 'Brittney Glover'; Cliff Marcek; 'dcoil@ggrmlawfirm.com'; Joseph Meservy; peter@dubowskylaw.com
Cc: Kiera Buckley
Subject: RE: Stipulation

Please take David Barron off the signature block for our office and replace his name with William H. Pruitt, Bar # 6783. After that change is made, Mr. Pruitt gives permission to use his e-signature on the stipulation. Thanks,

MaryAnn Dillard | Paralegal
barronpruitt.com | mdillard@lvnlaw.com
p 702.870.3940 | f 702.870.3950
3890 West Ann Road
North Las Vegas NV 89031
Barron & Pruitt, LLP
LAWYERS

From: Brittney Glover [mailto:bglover@egletlaw.com]
Sent: Friday, October 15, 2021 10:46 AM
To: Cliff Marcek <cwmarcek@marceklaw.com>; MaryAnn Dillard <MDillard@lvnlaw.com>; 'dcoil@ggrmlawfirm.com' <dcoil@ggrmlawfirm.com>; Joseph Meservy <JMeservy@lvnlaw.com>; peter@dubowskylaw.com
Cc: Kiera Buckley <kbuckley@egletlaw.com>
Subject: RE: Stipulation

You have my permission to e-sign. Thanks.

Brittney Glover

From: Cliff Marcek <cwmarcek@marceklaw.com>
Sent: Friday, October 15, 2021 10:20 AM
To: Brittney Glover <bglover@egletlaw.com>; MaryAnn Dillard <MDillard@lvnlaw.com>; 'dcoil@ggrmlawfirm.com' <dcoil@ggrmlawfirm.com>; Joseph Meservy <JMeservy@lvnlaw.com>; peter@dubowskylaw.com
Cc: Kiera Buckley <kbuckley@egletlaw.com>
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