

1 **WILLIAM H. PRUITT, ESQ**
 Nevada Bar No. 6783
 2 **JOSEPH R. MESERVY, ESQ.**
 Nevada Bar No. 14088
 3 **BARRON & PRUITT, LLP**
 3890 West Ann Road
 4 North Las Vegas, Nevada 89031-4416
 Telephone: (702) 870-3940
 5 Facsimile: (702) 870-3950
 Email: BPruitt@lvnvlaw.com
 6 Email: JMeservy@lvnvlaw.com
 Attorneys for Defendant,
 7 Smart Industries Corporation

8
 9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 WESCO INSURANCE COMPANY as subrogee
 of its insured NICKELS AND DIMES
 12 INCORPORATED,
 13
 Plaintiff,
 14 vs.
 15 SMART INDUSTRIES CORPORATION dba
 SMART INDUSTRIES CORP., MFG., an Iowa
 16 corporation,
 17
 Defendants.

Case No.: 2:16-cv-01206-JCM-EJY
 CONSOLIDATED FOR PURPOSES OF
 DISCOVERY AND TRIAL
 Case No.: 2:16-cv-02378-JCM-EJY

18
 19 JENNIFER WYMAN, individually; BEAR
 WYMAN, a minor, by and through his natural
 parent JENNIFER WYMAN; JENNIFER
 20 WYMAN and VIVIAN SOOF, as Joint Special
 Administrators of the ESTATE OF CHARLES
 21 WYMAN; and SARA RODRIGUEZ natural
 parent and guardian ad litem of JACOB WYMAN,
 22
 Plaintiffs,

**STIPULATION AND ORDER TO
 EXTEND TIME TO FILE A JOINT
 PRETRIAL ORDER
 (Third Request)**

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

BARRON & PRUITT, LLP
 ATTORNEYS AT LAW
 3890 WEST ANN ROAD
 NORTH LAS VEGAS, NEVADA 89031
 TELEPHONE (702) 870-3940
 FACSIMILE (702) 870-3950

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Defendants.

HI-TECH SECURITY INC; and WILLIAM ROSEBERRY,

Third-Party Plaintiffs,

vs.

NICKELS AND DIMES INCORPORATED,

Third-Party Defendants.

COMES NOW, Plaintiffs, SARA RODRIGUEZ parent and guardian of JACOB WYMAN, by and through their counsel of record, Cliff W. Marcek, Esq and Thomas Schwartz, Esq.; Jennifer Wyman, Bear Wyman and the Estate of Charles Wyman by and through their attorney of record, Tracy A. Eglet, Esq. of EGLET ADAMS LAW OFFICE; Smart Industries Corporation, by and through its attorney of record William H. Pruitt, Esq. and Joseph R. Meservy, Esq. of BARRON & PRUITT; and Wesco Insurance Company by and through its attorney Peter Duboswky, Esq. of DUBOWSKY LAW OFFICE and hereby agree and stipulate to extend the time to file the Joint Pretrial Order.

On September 16, 2021, the Honorable Judge James C. Mahan filed a Minute Order stating the parties were to submit a Joint Pretrial Order in compliance with Local Rule 16-4 within 30 days. The Joint Pretrial Order was due October 18, 2021. The parties were granted two extensions until November 8, 2021, and have now agreed to extend the deadline another four days to **November 12, 2021**.

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

The parties are circulating drafts for the joint pretrial order and have made additional progress since the last extension was granted, but it is unlikely the Joint Pretrial Order will be completed by Monday, November 8, 2021.

The parties above request that the court approve of this stipulation and order giving the parties

1 an additional four days to submit the Joint Pretrial Order.

2
3 DATED this 8th day of November, 2021. DATED this 8th day of November, 2021.

4 /s/ Cliff W. Marcek
5 CLIFF W. MARCEK, ESQ.
6 Nevada Bar No. 5061
7 **CLIFF W. MARCEK, P.C.**
8 411 E. Bonneville Ave.
9 Las Vegas, Nevada 89101
10 *Attorneys for Plaintiffs*
11 *SARA RODRIQUEZ, parent and guardian*
12 *Of JACOB WYMAN*

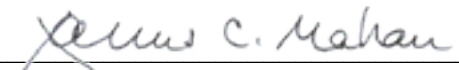
/s/ Joseph R. Meservy
WILLIAM H. PRUITT, ESQ.
Nevada Bar No. 6783
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
BARRON & PRUITT, LLP
3890 West Ann Road
North Las Vegas, Nevada 89031
Attorneys for Defendant
SMART INDUSTRIES CORPORATION

11 DATED this 8th day of November, 2021. DATED this 8th day of November, 2021.

12 /s/ Brittney R. Glover
13 TRACY A. EGLET, ESQ.
14 Nevada Bar No. 6419
15 BRITTNEY R. GLOVER, ESQ.
16 Nevada Bar No. 15412
17 **EGLET ADAMS**
18 400 South Seventh Street, Suite 400
19 Las Vegas, Nevada 89101
20 *Attorneys for Plaintiffs*
21 *JENNIFER WYMAN, BEAR WYMAN;*
22 *and*
23 *ESTATE OF CHARLES WYMAN*

/s/ Peter Dubowsky
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.

24
25
26
27
28
IT IS SO ORDERED November 8, 2021.


UNITED STATES DISTRICT JUDGE
JAMES C. MAHAN

BARRON & PRUITT, LLP
ATTORNEYS AT LAW
3890 WEST ANN ROAD
NORTH LAS VEGAS, NEVADA 89031
TELEPHONE (702) 870-3940
FACSIMILE (702) 870-3950