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 7 Jennifer Wyman, Bear Wyman,
 and the Estate of Charles Wyman
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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

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

15 vs.

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

19 Defendants.

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

26 Plaintiffs,

27 vs.

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

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

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

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

9 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 COMES NOW, Plaintiffs, JENNIFER WYMAN, BEAR WYMAN and THE ESTATE
17 OF CHARLES WYMAN, by and through their attorneys of record, Tracy A. Eglet, Esq. and
18 Brittney R. Glover, Esq. of EGLET ADAMS; Plaintiffs, SARA RODRIGUEZ parent and
19 guardian of JACOB WYMAN, by and through their counsel of record, Cliff W. Marcek, Esq.
20 and Thomas Schwartz, Esq.; SMART INDUSTRIES CORPORATION, by and through its
21 attorney of record, William H. Pruitt, Esq. and Joseph R. Meservy, Esq. of BARRON & PRUITT;
22 and WESCO INSURANCE COMPANY, by and through its attorney of record, Peter Duboswky,
23 Esq. of DUBOWSKY LAW OFFICE, and hereby agree and stipulate to extend the time to file
24 the Joint Pretrial Order.

25 On September 16, 2021, the Honorable Judge James C. Mahan filed a Minute Order
26 stating the parties were to submit a Joint Pretrial Order in compliance with Local Rule 16-4
27 within 30 days. The Joint Pretrial Order was due October 18, 2021. The parties were granted
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four extensions until November 30, 2021, and have agreed to further extend the deadline until December 21, 2021 with this Court’s permission.

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. However, counsel for Smart tested positive for Covid-19. Due to his symptoms and extensive recovery period, counsel for Smart was not able to circulate the most recent draft of the joint pretrial order until the evening of November 29, 2021. Accordingly, the parties need additional time to review the most recent draft of the joint pretrial order and collectively communicate in order to mutually agree on the language submitted in the proposed joint pretrial order. In light of these circumstances, with this Court’s permission, the parties have agreed to extend the deadline to December 21, 2021.

The parties above request that the court approve of this stipulation and order giving the parties an additional time up to December 21, 2021 to submit the Joint Pretrial Order.

DATED this 30th day of November, 2021.

DATED this 30th day of November, 2021.

/s/ Cliff W. Marcek
 CLIFF W. MARCEK, ESQ.
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Of JACOB WYMAN

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Attorneys for Defendant
SMART INDUSTRIES CORPORATION

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DATED this 30th day of November, 2021.

DATED this 30th day of November, 2021.

/s/ Brittney R. Glover
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Attorneys for WESCO INSURANCE CO.

IT IS SO ORDERED

Raymond J. Zouchak
UNITED STATES MAGISTRATE JUDGE

Dated: December 3, 2021