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9 *Attorneys for Defendants Hi-Tech Security, Inc.*
 10 *and William Roseberry*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

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

15 Plaintiff,

16 vs.

17 SMART INDUSTRIES CORPORATION dba SMART
 18 INDUSTRIES CORP., MFG., an Iowa corporation,

19 Defendants.

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

20 **STIPULATION AND [proposed]
 21 ORDER FOR EXTENSION OF TIME
 22 FOR FILING JOINT PRETRIAL
 23 ORDER (Fifth Request)**

21 JENNIFER WYMAN, individually; BEAR WYMAN,
 22 a minor, by and through his natural parent JENNIFER
 WYMAN; JENNIFER WYMAN and VIVIAN SOOF,
 23 as Joint Special Administrators of the ESTATE OF
 CHARLES WYMAN,

24 Plaintiffs,

25 vs.

26 SMART INDUSTRIES CORPORATION dba SMART
 27 INDUSTRIES CORP., MFG; HI-TECH SECURITY
 INC; WILLIAM ROSEBERRY; BOULEVARD
 28 VENTURES, LLC; SANSONE COMPANIES, LLC;
 DOES I through V; and BUSINESS ENTITIES I
 through V, inclusive,

Defendants.

CONSOLIDATED WITH
 CASE NO. 2:16-cv-02378-RFB-GWF

1 A settlement conference was held in the above-referenced matter on October 30, 2018. The
2 Parties were unsuccessful in reaching a settlement agreement. Prior to the settlement conference, a
3 Stipulation and Order (ECF Nos. 54 and 55) was entered extending the time for filing the Joint Pretrial
4 Order to thirty days after the settlement conference, if a settlement was not reached. On November 29,
5 2018, the Parties filed a Stipulation and Order (ECF Nos. 62 and 63) to extend the deadline by 30 days
6 until January 2, 2019. On December 21, 2018, the Parties filed a Stipulation and Order (ECF Nos. 64
7 and 65) to extend the deadline until February 1, 2019.

8 On January 23, 2019, the Wyman Plaintiffs' counsel circulated a 21-page proposed draft of the
9 Joint Pretrial Order, which addressed Plaintiffs' desired stipulated facts, documents, witness, designated
10 deposition transcripts, and statements of issues to be decided. In January, the Defendants' counsel
11 reviewed this proposed draft and determined that additional time was necessary to fact check the content
12 sought by the Wyman Plaintiffs, and to prepare and offer their own content additions, objections,
13 counter-designations, and other revisions. Accordingly, the Parties filed a Stipulation and Proposed
14 Order (ECF No. 67) to extend the deadline until March 1, 2019. This Court granted the Parties'
15 Proposed Order (ECF No. 68) on February 4, 2019.

16 Since then, the Parties have worked on the fact checking issues, but additional time is needed to
17 complete this, for Defendants to complete their content additions, objections, counter-designations, and
18 other revisions, and for the Parties to meet and confer in an effort to resolve their disputes and to form
19 related evidentiary stipulations or objections. The parties desire, through meeting and conferring about
20 these issues, to reduce the number and scope of any disputes that might need to be brought before this
21 Court.

22 To permit sufficient time to accomplish these matters, the parties hereby request that the deadline
23 to file the Joint Pretrial Order be extended by 30 days to April 1, 2019. This Stipulation is submitted in

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1 good faith and is not interposed for purposes of delay. **This is the fifth request to extend the deadline**
2 **for filing the Joint Pretrial Order.**

3 Respectfully submitted,

4 DATED this 22nd day of February 2019.

5 HALL JAFFE & CLAYTON, LLP

6 By: 

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15 *Attorneys for Hi-Tech Security, Inc.*
16 *and William Roseberry*

17 DATED this 22nd day of February 2019.

18 GREENMAN GOLDBERG RABY & MARTINEZ

19 By: /s/ Dillon G. Coil

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26 *Attorneys for Wyman Plaintiffs*

DATED this 22nd day of February 2019.

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By: /s/ William H. Pruitt

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Attorneys for Smart Industries Corporation

DATED this 22nd day of February 2019.

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Attorneys for Wesco Ins. Co.

27 **ORDER**

28 **IT IS SO ORDERED.**

DATED this 26 day of February 2019.


UNITED STATES MAGISTRATE JUDGE