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

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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

Plaintiff,

vs.

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

Defendants.

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

**STIPULATION AND [proposed]
ORDER FOR EXTENSION OF TIME
FOR FILING JOINT PRETRIAL
ORDER (Sixth Request)**

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

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba SMART
INDUSTRIES CORP., MFG; HI-TECH SECURITY
INC; WILLIAM ROSEBERRY; BOULEVARD
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 On February 22, 2019, the Parties filed a Stipulation and Proposed Order (ECF No. 69) to extend
17 the deadline until April 1, 2019, because the Parties needed additional time fact checking issues,
18 completing content additions, objections, counter-designations, and other revisions, and to meet and
19 confer in an effort to resolve their disputes. This Court granted the Parties' Proposed Order (ECF No.
20 70) on February 26, 2019.

21 The Parties request an additional one-month continuance to accommodate counsel's trial
22 schedules. Counsel for Defendant Smart Industries have an upcoming trial scheduled to commence on
23 April 1, 2019. Counsel for Defendants Hi-Tech and Roseberry also have a separate upcoming two-week
24 trial that will commence on April 1, 2019. Additionally, counsel for Defendants Hi-Tech and Roseberry
25 are litigating a large and complex case that involved 19 depositions in March, many of which occurred
26 out-of-state and some of which occurred simultaneously, and has 14 depositions scheduled for April.
27 Finally, the Wyman Plaintiffs have recently retained additional counsel, who filed a Notice of
28 Association (ECF No. 71) on February 28, 2019. The Parties would like to resolve as many of their

disputes as possible to reduce the number and scope of issues that may need to be brought before this Court. The Parties therefore ask for an additional one-month continuance, until May 1, 2019, to accommodate defense counsel's trials and the addition of new counsel for Plaintiffs.

This Stipulation is submitted in good faith and is not interposed for purposes of delay. **This is the sixth request to extend the deadline for filing the Joint Pretrial Order.**

Respectfully submitted,

DATED this 29th day of March 2019.

HALL JAFFE & CLAYTON, LLP

By: 

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

DATED this 29th day of March 2019.

GREENMAN GOLDBERG RABY & MARTINEZ

By: /s/ Kevin T. Strong

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&

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Attorneys for Wyman Plaintiffs

DATED this ____ day of March 2019.

BARRON & PRUITT, LLP

By: _____

DAVID BARRON, ESQ.

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WILLIAM H. PRUITT, ESQ.

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Attorneys for Smart Industries Corporation

DATED this 28th day of March 2019.

DUBOWSKY LAW OFFICE, CHTD.

By: /s/ Peter Dubowsky

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AMANDA C. VOGLER-HEATON, ESQ.

Nevada Bar No. 13609

300 S. Fourth Street, Suite 1020

Las Vegas, Nevada 89101

Attorneys for Wesco Ins. Co.

IT IS SO ORDERED.

DATED: Apr 04, 2019


C.W. HOFFMAN, JR.

UNITED STATES MAGISTRATE JUDGE

disputes as possible to reduce the number and scope of issues that may need to be brought before this Court. The Parties therefore ask for an additional one-month continuance, until May 1, 2019, to accommodate defense counsel's trials and the addition of new counsel for Plaintiffs.

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Respectfully submitted,

DATED this ____ day of March 2019.

HALL JAFFE & CLAYTON, LLP

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

DATED this ____ day of March 2019.

GREENMAN GOLDBERG RABY & MARTINEZ

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DATED this 22nd day of March 2019.

BARRON & PRUITT, LLP

By:

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DATED this ____ day of March 2019.

DUBOWSKY LAW OFFICE, CHTD.

By:

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Wesco v. Smart Industries (2:16-cv-01206-JCM-CWH)
consolidated with:
Wyman et al. v. Smart Industries et al. (2:16-cv-02378-RFB-GWF)

STIPULATION AND [proposed] ORDER FOR EXTENSION
OF TIME FOR FILING JOINT PRETRIAL ORDER
(sixth request)

ORDER

IT IS SO ORDERED.

DATED this ____ day of _____ 2019.

UNITED STATES JUDGE