



1 DENNIS M. PRINCE, ESQ.

Nevada Bar No. 5092

2 KEVIN T. STRONG, ESQ.

Nevada Bar No. 12107

3 **EGLET PRINCE**

400 S. 7th Street, 4th Floor

Las Vegas, Nevada 89101

E-Mail: eservice@egletlaw.com

T: 702.450.5400

F: 702.450.5451

6 -and-

GABRIEL A. MARTINEZ, ESQ.

Nevada Bar No. 326

DILLON G. COIL, ESQ.

Nevada Bar No. 11541

8 **GREENMAN GOLDBERG RABY & MARTINEZ**

9 601 S. Ninth Street

Las Vegas, NV 89101

10 E-Mail: gmartinez@ggrmlawfirm.com

E-Mail: dcoil@ggrmlawfirm.com

11 T: 702.384.1616

F: 702.384.2990

12 *Attorneys for Wyman Plaintiffs*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

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

18 Plaintiff,

19 vs.

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

22 Defendant.

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

CONSOLIDATED FOR PURPOSES OF
DISCOVERY AND TRIAL WITH:

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

**STIPULATION AND ORDER TO
EXTEND BRIEFING DEADLINES
FOR DEFENDANTS HI-TECH
SECURITY AND WILLIAM
ROSEBERRY'S MOTION FOR
LEAVE TO FILE A THIRD-PARTY
COMPLAINT (ECF NO. 79); MOTION
FOR JOINDER OF JACOB WYMAN
AS COMPULSORY PLAINTIFF (ECF
NO. 78); AND EMERGENT MOTION
TO STAY DEADLINE FOR FILING
JOINT PRETRIAL ORDER (ECF NO.
79)**

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

1 Plaintiffs,

2 vs.

3 SMART INDUSTRIES CORPORATION dba
4 SMART INDUSTRIES CORP., MFG.; HI-TECH
5 SECURITY, INC.; WILLIAM ROSEBERRY;
6 BOULEVARD VENTURES, LLC; SANSONE
7 COMPANIES, LLC; DOES I through V; and
8 BUSINESS ENTITIES I through V, inclusive,

9 Defendants.

EGLET PRINCE 

8 **IT IS HEREBY STIPULATED AND AGREED** between Plaintiffs JENNIFER
9 WYMAN, individually; BEAR WYMAN, a minor, by and through his natural parent,
10 JENNIFER WYMAN; and JENNIFER WYMAN and VIVIAN SOOF, as Joint Special
11 Administrators of the ESTATE OF CHARLES WYMAN, through their attorneys of record,
12 Dennis M. Prince, Esq., and Kevin T. Strong, Esq. of EGLET PRINCE and Gabriel A. Martinez,
13 Esq. and Dillon G. Coil, Esq. of GREENMAN GOLDBERG RAMY & MARTINEZ; Plaintiff
14 WESCO INSURANCE COMPANY, through its attorneys of record, Peter Dubowsky, Esq. and
15 Amanda Vogler-Heaton, Esq.; Defendants HI-TECH SECURITY, INC. and WILLIAM
16 ROSEBERRY, through their attorneys of record, STEVEN T. JAFFE, ESQ., MONTE HALL,
17 ESQ., and WALTER F. FICK, ESQ. of HALL JAFFE & CLAYTON, LLP; and Defendant
18 SMART INDUSTRIES CORPORATION dba SMART INDUSTRIES, CORP., by and through
19 its attorneys of record, David Barron, Esq., William H. Pruitt, Esq., and Joseph R. Meservy, Esq.
20 of BARRON & PRUITT, LLP, that the deadline for the Wyman Plaintiffs to file their Responses
21 to Defendants Hi-Tech Security, Inc.’s and William Roseberry’s: (1) Motion for Leave to File a
22 Third-Party Complaint for Contractual Indemnity Against Nickels and Dimes Incorporated (ECF
23 No. 77); (2) Motion for Joinder of Jacob Wyman as a Compulsory Plaintiff; or, in the
24 Alternative, Motion for Leave to File Third-Party Complaint Against Jacob Wyman; or, in the
25 Alternative, Motion to File Complaint for Interpleader (ECF No. 78); and (3) Emergent Motion
26 to Stay Deadline for Filing Joint Pretrial Order (ECF No. 79) and Responses to Defendant Smart
27 Industries Corp.’s respective Joinders thereto (ECF Nos. 87, 88, and 89) shall be extended from
28 May 28, 2019, to June 7, 2019. Defendants Hi-Tech Security and William Roseberry filed their
respective Motions on May 14, 2019.

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

IT IS FURTHER STIPULATED AND AGREED that Defendants Hi-Tech Security, William Roseberry, and Smart Industries Corp. shall have until June 17, 2019 to file their Reply Briefs in support of their respective Motions and Joinders thereto.

The purpose for requesting this brief extension is that the Wyman Plaintiffs’ counsel handling the briefing has been involved in the drafting of several briefs related to a trial in the Eighth Judicial District Court entitled *Evans-Waiiau v. Tate*, Case No. A-16-736457-C over the course of the last two weeks. The Wyman Plaintiffs’ counsel has also been preparing briefing for a matter pending in the Ninth Circuit Court of Appeals. Given the complexities of the various legal arguments presented in Hi-Tech Security and William Roseberry’s Motions, the Wyman Plaintiffs respectfully request additional time to address the legal issues presented.

In light of the same and pending the Court’s approval, counsel for Defendants/Movants Hi-Tech Security and William Roseberry has graciously agreed to a ten-day extension, through and until June 7, 2019, for the Wyman Plaintiffs to file their Responses to: (1) Motion for Leave to File a Third-Party Complaint for Contractual Indemnity Against Nickels and Dimes Incorporated (ECF No. 77); (2) Motion for Joinder of Jacob Wyman as a Compulsory Plaintiff; or, in the Alternative, Motion for Leave to File Third-Party Complaint Against Jacob Wyman; or, in the Alternative, Motion to File Complaint for Interpleader (ECF No. 78); and (3) Emergent Motion to Stay Deadline for Filing Joint Pretrial Order (ECF No. 79). Defendants Hi-Tech Security, William Roseberry, and Smart Industries Corp. shall have until June 17, 2019 to file their Reply Briefs in support of their respective Motions and Joinders thereto.

...
...
...
...
...
...
...

1 This is the first extension requested in connection with the underlying motions.
2 Therefore, the parties respectfully request this Court to approve the foregoing stipulation.

3 DATED this 25th day of May, 2019.

DATED this 25th day of May, 2019.

4 **EGLET PRINCE**

BARRON & PRUITT, LLP

5
6 /s/ Kevin T. Strong
DENNIS M. PRINCE, ESQ.
7 Nevada Bar No. 5092
KEVIN T. STRONG, ESQ.
8 Nevada Bar No. 12107
400 S. 7th Street, 4th Floor
9 Las Vegas, Nevada 89101

/s/ Joseph R. Meservy
WILLIAM H. PRUITT, ESQ.
Nevada Bar No. 6783
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
3890 West Ann Road
North Las Vegas, Nevada 89031
Attorneys for Defendant Smart Industries Corporation

10 *-and-*
GABRIEL A. MARTINEZ, ESQ.
Nevada Bar No. 326
11 DILLON G. COIL, ESQ.
Nevada Bar No. 11541
12 **GREENMAN GOLDBERG RABY
& MARTINEZ**
13 601 South Ninth Street
14 Las Vegas, NV 89101
Attorneys for Wyman Plaintiffs

15
16 DATED this 25th day of May, 2019.

Dated this 25th day of May, 2019.

17 **HALL, JAFFE & CLAYTON, LLP**

DUBOWSKY LAW OFFICE, CHTD.

18
19 /s/ Walter F. Fick
STEVEN JAFFE, ESQ.
Nevada Bar No. 7035
20 WALTER F. FICK, ESQ.
Nevada Bar No. 14193
21 7425 Peak Drive
22 Las Vegas, Nevada 89128
Attorneys for Defendants Hi-Tech Security, Inc. and William Roseberry

/s/ Amanda Vogler-Heaton
PETER DUBOSWKY, ESQ.
Nevada Bar No. 4972
AMANDA VOGLER-HEATON, ESQ.
Nevada Bar No. 13609
300 South Fourth Street, Suite 1020
Las Vegas, Nevada 89101
Attorneys for Wesco Ins. Co.

23
24 **ORDER**

25 **IT IS SO ORDERED.**

26 Dated this 4th day of June 2019.

27
28 
UNITED STATES MAGISTRATE JUDGE