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

10 BRYAN DRYDEN,  
11 Plaintiff,  
12 v.  
13 STATE OF NEVADA, *et al.*,  
14 Defendants.

Case No. 2:16-cv-01227-JAD-EJY

**STIPULATION AND ORDER TO  
EXTEND THE CLOSE OF DISCOVERY  
AND THE DEADLINE TO FILE A  
PROPOSED JOINT PRETRIAL ORDER  
[Second Request]**

15 Plaintiff, Bryan Dryden, by and through counsel, Justin V. Alper, and Defendant,  
16 Ted Nielson, by and through counsel, Aaron D. Ford, Nevada Attorney General, and David  
17 A. Bailey, Deputy Attorney General, hereby stipulate and agree to extend the close of  
18 discovery 90 days to permit Plaintiff's newly appointed *pro bono* counsel to complete his  
19 investigation, take depositions, and propound additional discovery (if necessary).

20 The current deadline for discovery to close and for the parties to submit their  
21 Proposed Joint Pretrial Order is January 7, 2022. The parties stipulate to extend these  
22 deadlines 90 days until April 7, 2022, with all other discovery related deadlines likewise  
23 extended 90 days.

24 **Good Cause for Extension of Deadline:**

25 Plaintiff's counsel was appointed only on August 9, 2021, and this case has been in  
26 protracted litigation for years. The Court granted Plaintiff's request to reopen discovery  
27 and the parties stipulation to extend the deadline to file the Proposed Joint Pretrial  
28 Order. Plaintiff's counsel still needs additional time to investigate and conduct additional

1 discovery. Also, Counsel for Plaintiff and Counsel for Defendant are working on  
 2 scheduling depositions as well as working through discovery issues regarding documents  
 3 produced by Defendant. Counsel for Plaintiff and Counsel for Defendant require  
 4 additional time to negotiate Plaintiff's request for documents, and will endeavor to avoid  
 5 seeking the Court's involvement. Counsel for Plaintiff has subpoenaed multiple third  
 6 parties, but is still trying to locate witnesses.

7 The parties stipulate that this constitutes a good cause for the requested extension  
 8 under LR IA 6-1, and, therefore, request the Court extend the following deadlines so that  
 9 justice may be done:

Item	Current Deadline	New Deadline
Close of discovery	January 7, 2022	April 7, 2022
Submission of Proposed Joint Pretrial Order	January 7, 2022	April 7, 2022
Dispositive Motions due	February 7, 2022	May 8, 2022
Pretrial Order	March 9, 2022	June 7, 2022*

15 \* Unless a dispositive motion is pending on that date thereby automatically  
 16 extending the due date for the pre-trial order to 30 days after the pending dispositive  
 17 motion is resolved.

18 DATED this 7<sup>th</sup> day of January 2022.

19 AARON D. FORD  
 20 Attorney General

21 By: /s/ David A. Bailey  
 22 David A. Bailey (No. 13661)  
 23 Deputy Attorney General  
 Attorneys for Defendant Ted Nielson

By: /s/ Justin V. Alper  
 Justin V. Alper (No. 12923C)  
 Attorney for Plaintiff Bryan Dryden

24 **IT IS HEREBY ORDERED** that the Stipulation and Order to Extend the  
 25 Close of Discovery and the Deadline to File a Proposed Joint Pretrial Order  
 26 (ECF No. 185) is DENIED because the parties misstate the deadline they seek  
 27 to extend. The Court refers the parties to ECF No. 175 for the correct  
 28 deadlines.

  
 U.S. Magistrate Judge