

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 BRYAN DRYDEN,

5 Plaintiff,

6 v.

7 STATE OF NEVADA, *et al.*,

8 Defendants.

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

ORDER

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10 Pending before the Court is the Joint Status Report Regarding Discovery and Dispositive
11 Motions Deadline. ECF No. 231. The Court appreciates the promptness with which the parties
12 responded to the Court's Minute Order requesting the same.

13 Based on the content of the Status Report, the Court notes that an Order on the pending
14 Motion to Quash Subpoena Duces Tecum (ECF No. 218) was issued at ECF No. 232. That Order
15 permits disclosure of some, but not all, discovery sought by Plaintiff. *See id.* The process adopted
16 by the Court will require additional time to determine whether all, some or none of the documents
17 to be submitted *in camera* are disclosed to Plaintiff's counsel. Until that decision is made and
18 finalized, it is unclear whether the deposition of David Reed is likely to lead to the discovery of
19 admissible evidence and is proportional to the needs of the case. With respect to the former inmate
20 Saul Ramsey, alleged to be a potential witness to the events at issue, the Court grants Plaintiff an
21 extension of 30 calendar days from the date of this Order to locate and add Mr. Ramsey, if
22 appropriate, to his list of persons with knowledge. No further extensions of time to locate Mr.
23 Ramsey will be granted.

24 With respect to the investigation into non-party Robert Ashcraft, information on the
25 Inspector General's investigation processes, information about the records, information about how
26 camera footage is kept, and other pertinent areas of discovery related to the case, the OIG's Motion
27 to Quash is granted. Discovery was reopened in this case on October 1, 2021 upon appointment of
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1 pro bono counsel. ECF No. 173. This was eight months before Plaintiff's Motion for Order to Show
2 Cause was filed on June 1, 2022 (see ECF No. 191).

3 Accordingly, IT IS HEREBY ORDERED that Plaintiff has thirty (30) days from the date of
4 this Order to locate Saul Ramsey, determine whether he is appropriately added to Plaintiff's
5 disclosure of persons with knowledge, and to add Mr. Ramsey to such disclosures if appropriate.

6 IT IS FURTHER ORDERED that the Court holds in abeyance a decision on the deposition
7 of David Reed.

8 IT IS FURTHER ORDERED that discovery into grievances filed against Defendant Ted
9 Nielson was addressed in ECF No. 232, and is adopted as though fully set forth herein.

10 IT IS FURTHER ORDERED that all other discovery identified and sought by Plaintiff in
11 the Joint Status Report (ECF No. 231) is DENIED.

12 IT IS FURTHER ORDERED that the deadline to file dispositive motions is extended to sixty
13 (60) calendar days after the Court issues its decision on Plaintiff's Motion for Order to Show Cause
14 (ECF No. 191) and Defendant's Counter Motion for Sanctions (ECF No. 209). This accommodates
15 all discovery allowed in the Court's Order addressing the Motion to Quash, the time the Court has
16 granted to allow Plaintiff to locate Saul Ramsey, and time to depose David Reed, if appropriate.

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18 DATED this 9th day of December, 2022.

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21 ELAYNA J. YOUCHAK
22 UNITED STATES MAGISTRATE JUDGE
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