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*Attorneys for Defendant
Wal-Mart Stores, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RENAUD DELGADILLO,

Plaintiff,

v.

WAL-MART STORES, INC., a Foreign
Corporation; DOE Wal-Mart, Inc. Employee;
DOES 1 through 20; ROE BUSINESS
ENTITIES 1 through 20, inclusive jointly and
severally,

Defendants.

Case No.: 2:16-cv-01250-KJD-NJK

**STIPULATION AND ~~PROPOSED~~
ORDER FOR LEAVE TO CONDUCT
CERTAIN DISCOVERY OUTSIDE THE
DISCOVERY PERIOD**

Plaintiff RENAUD DELGADILLO (hereinafter "Plaintiff") and Defendant WAL-MART STORES, INC. (hereinafter "Defendant"), by and through their respective counsel of record, do hereby stipulate to conduct certain discovery outside the discovery period. Specifically, the parties stipulate that **Defendant shall take the deposition of Plaintiff's treating psychologist, Louis F. Mortillaro, Ph.D. on Tuesday, April 18, 2017.**

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference.
- The parties have served and exchanged their respective FRCP 26(a) initial disclosures.
- Plaintiff has served upon Defendants three sets of Requests for Admissions, two set of Interrogatories and three sets of Requests for Production of Documents. Defendant has served responses.
- Defendant has served upon Plaintiff two sets of Requests for Admissions, Interrogatories and

1 Requests for Production of Documents. Plaintiff has served responses.

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- 3 • Defendant has noticed and taken the depositions of Plaintiff and witness Karla Sandoval.
 - 4 • Defendant has noticed and taken the depositions of Plaintiff's treating physicians Dr. James Forage, Dr. Daniel Fabito and Dr. William Muir.
 - 5 • Plaintiff has noticed and taken the depositions of Defendant employee, Cherie Randolph.
 - 6 • Plaintiff has undergone a FRCP Rule 35 exam by Defendant's expert witness and physician.
 - 7 • Each party has made their respective expert disclosures.
 - 8 • Defendant has noticed and taken the depositions of Plaintiff's designated experts Dr. Jeffrey Gross and Mr. John Peterson.
 - 9
 - 10 • Defendant has obtained executed authorizations from Plaintiff and has commenced and
 - 11 completed the process of subpoenaing and receiving records from Plaintiff's providers.

12 **DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD**

13 Discovery to be completed includes:

- 14
- 15 • Defendant's deposition of Plaintiff's treating psychologist, Louis F. Mortillaro, Ph.D.;

16 The parties aver that good cause exists for the request pursuant to Local Rule 2.25. Plaintiff
17 disclosed Dr. Mortillaro as a non-retained expert witness on February 28, 2017, approximately one week
18 before the discovery cutoff. In order to preserve its right to depose Dr. Mortillaro, Defendant timely filed a
19 Notice of Deposition. Due to his busy schedule, Dr. Mortillaro's deposition could not be scheduled within
20 the discovery period.

21 The parties aver that this request is made by the parties in good faith and not for the purpose of
22 delay.

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DATED this 29th day of March, 2017.

RICHARD HARRIS LAW FIRM

/s/ Michaela E. Tramel

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Wal-Mart Stores, Inc.

IT IS SO ORDERED.

**NO FURTHER EXTENSIONS
WILL BE GRANTED.**


UNITED STATES MAGISTRATE JUDGE

DATED: March 30, 2017

Respectfully submitted:

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Timothy D. Kuhls

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