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16 Attorney for Defendant, FEDERAL EXPRESS
 17 CORPORATION

18 **UNITED STATES DISTRICT COURT**
 19 **FOR THE DISTRICT OF NEVADA**

20 WENDY BUTENSKY, an individual,
 21
 22 Plaintiff,
 23 v.
 24 FEDERAL EXPRESS CORPORATION, a
 25 Delaware corporation,
 26
 27 Defendant.

Case No. 2:16-cv-01718-JCM-VCF

**JOINT STIPULATION TO CONTINUE THE
 TRIAL AND ALL TRIAL RELATED DATES;
 AND ORDER THEREON**

[FIRST REQUEST FOR EXTENSION]

Complaint Filed: July 20, 2016
 Calendar Call: March 4, 2020
 Trial Date: March 9, 2020

28 Pursuant to Local Rules IA 6-2, 7-1, and 26-4, the parties, by and through their respective
 counsel of record, hereby stipulate and request that this Court continue the trial and all trial related
 dates for approximately 45 days so the parties can attend mediation and attempt to resolve this case
 before having to incur additional attorney’s fees and costs preparing pre-trial papers such as
 motions *in limine*. In support of this Joint Stipulation and Request, the parties agree and stipulate
 as follows:

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- 1 1. The trial is currently scheduled to begin **March 9, 2020**;
- 2 2. Motions *in limine* are presently due **February 7, 2020**;
- 3 3. The parties are attending an all-day Mediation before the Honorable Bill Hoffman
- 4 (Ret.) at JAMS on **February 4, 2020**;
- 5 4. If the case does not settle, FedEx is deposing Plaintiff the next day, **February 5,**
- 6 **2020**, for no more than three hours regarding her alleged damages and efforts to mitigate her
- 7 damages;
- 8 5. The deposition transcript, if necessary, will not be available for at least two weeks,
- 9 just days before the trial is set to begin;
- 10 6. The week of March 9, 2020 poses a problem to FedEx due to the press of business
- 11 that week because of various conventions in Las Vegas. Having several FedEx employees miss
- 12 work to prepare to testify at trial and testify at trial would pose an undue hardship and disruption of
- 13 FedEx's business;
- 14 7. Moreover, the parties would rather not incur additional attorney's fees and costs to
- 15 prepare and file various pre-trial papers (motions *in limine*, etc.) before attending Mediation on
- 16 February 4, 2020, because such attorney's fees and costs could be used toward resolving the case;
- 17 8. Continuing the trial and all trial related dates for approximately 45 days, until the
- 18 last week of April or the first week of May 2020, will not prejudice the parties or their counsel and
- 19 should not unduly inconvenience the Court;
- 20 9. Continuing the trial and all trial related dates will give the parties the best chance to
- 21 resolve this case before trial;
- 22 10. The parties agree and have stipulated, by and through their respective counsel of
- 23 record, that for the reasons set forth above, the trial and all trial related dates should be continued
- 24 for approximately 45 days, and the trial be continued to the last week of April (April 27, 2020), or
- 25 the first week of May (May 4, 2020); and

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28 ///

1 11. The parties believe good cause exists, and the interests of justice will be served, if
2 the trial and all trial related dates are continued for approximately 45 days, to the last week of
3 April or the first week of May 2020.

4 **IT IS SO STIPULATED**

5
6 DATED: January 23, 2020

FEDERAL EXPRESS CORPORATION

7
8 By: /s/ Craig E. Lindberg
9 Craig E. Lindberg
10 California Bar No. 150778 (Admitted Pro Hac Vice)
11 FEDERAL EXPRESS CORPORATION
12 2601 Main Street, Suite 340
13 Irvine, CA 92614

Attorneys for Defendant Federal Express Corporation

14
15 DATED: January 23, 2020

FERNALD LAW GROUP LLP

16 By: /s/ Brandon C. Fernald
17 Brandon Claus Fernald
18 Nevada Bar No. 10582
19 6236 Laredo Street
20 Las Vegas, NV 89146

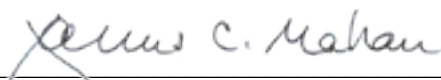
Attorneys for Wendy Butensky

21 **IT IS SO ORDERED.**

22 The trial (and all trial related dates) shall be continued to May 4, 2020,
23 at 9 a.m. The Calendar call will now be on April 29, 2020, at 1:30 p.m.

24 UNITED STATES DISTRICT JUDGE

25
26
27 DATED: January 30, 2020.

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THE HONORABLE JAMES C. MAHAN

CERTIFICATE OF SERVICE

Wendy Butensky v. Federal Express Corporation
USDC Case No. 2:16-cv-01718-JCM-VCF

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Federal Express Corporation, 2601 Main Street, Suite 340, Irvine, California 92614.

On January 24, 2020, I served the within document(s):

JOINT STIPULATION TO CONTINUE THE TRIAL AND ALL TRIAL RELATED DATES; AND [PROPOSED] ORDER THEREON [FIRST REQUEST FOR EXTENSION]

<input checked="" type="checkbox"/>	With the Clerk of the Court for the United States District Court-District of NV by using the Court's CM/ECF system and that service will be accomplished by the court's CM/ECF system to the person(s) as set forth below.
<input type="checkbox"/>	by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below.
<input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Irvine, California addressed as set forth below.
<input type="checkbox"/>	by arranging with First Legal Attorney Service to personally deliver the document(s) listed above to the person(s) at the address(es) set forth below.
<input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope with delivery fees provided for, addressed as follows for collection by Federal Express for overnight delivery at Federal Express Corporation, 2601 Main Street, Suite 340, Irvine, California 92614, in accordance with Federal Express Corporation's ordinary business practices.

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Attorneys for Plaintiff, WENDY BUTENSKY

(*Federal*) I declare under penalty of perjury that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court, who has been admitted *pro hac vice*, at whose direction the service was made.

Executed on January 24, 2020, at Irvine, California.

/s/ Shelley Davis
Shelley Davis