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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

3 Maria Correa, et al.,

4 Plaintiffs

5 v.

6 Las Vegas Metropolitan Police Department,
7 et al.,

8 Defendants

Case No.: 2:16-cv-01852-JAD-NJK

**Order Dismissing Action,
Vacating Trial, and Closing Case**

9 This wrongful-death case arises out of the shooting death of Abel Correa by Las Vegas
10 Metropolitan Police Department (LVMPD) officers Glenn Taylor and Eli Prunchak. In
11 anticipation of the trial of this case that is scheduled to begin on December 17, 2019, defendants
12 moved in limine to preclude plaintiffs from presenting any evidence of their damages because
13 the plaintiffs failed to disclose or compute their damages as Federal Rule of Civil Procedure
14 26(a)(1)(A) requires and the plaintiffs identified no medical-care providers or other experts who
15 can testify about their claimed emotional-distress damages.¹ The plaintiffs did not oppose that
16 motion and the Court granted it on November 20, 2019.²

17 The result of that order is that the plaintiffs are precluded from introducing any evidence
18 of damages at the trial scheduled for December 17, 2019. Because damages are an essential
19 element of the plaintiffs' claims, the inability to prove this element is fatal to their claims,
20 rendering trial moot. So, the Court ordered the plaintiffs to show cause in writing by December
21 2, 2019, why this case should not be dismissed and the trial vacated for inability to prove a

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23 ¹ ECF No. 74.

² ECF No. 76.

1 required element of their claims at trial. That court-ordered deadline passed without response or
2 a request to extend it. IT IS THEREFORE ORDERED that **THIS CASE IS DISMISSED. The**
3 **Clerk of Court is directed to VACATE the 12/17/19 Jury Trial and all related dates and**
4 **deadlines and CLOSE THIS CASE.**

5 Dated: December 4, 2019

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8 U.S. District Judge Jennifer A. Dorsey
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