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 Attorneys for Defendant  
 Wal-Mart Stores, Inc.

8  
 9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA

11 TIMOTHY BOYTOR,  
 12 Plaintiff,  
 13 v.  
 14 WAL-MART STORES, INC., and DOES 1  
 through 100; and ROE CORPORATIONS 101  
 15 through 200,  
 16 Defendants.

Case No.: 2:16-cv-02023-JAD-GWF

**~~PROPOSED~~ ORDER TO EXTEND  
 EXPERT DISCOVERY DEADLINES**

**FIRST REQUEST**

17  
 18 COMES NOW Plaintiff Timothy Boytor (hereinafter “Plaintiff”), by and through his counsel  
 19 of record, Jamie Corcoran of the law firm of Bernstein & Poisson, and Defendant, Wal-Mart Stores,  
 20 Inc. (“Walmart”) by and through its counsel of record, Betsy C. Jefferis, Esq. of the law firm of  
 21 Phillips, Spallas & Angstadt, LLC and hereby stipulate to modify the scheduling order to extend the  
 22 expert discovery deadlines by forty five (45) days. Pursuant to Local Rule 6-1(b), the parties state this  
 23 is their first request for such leave.  
 24

25 **DISCOVERY COMPLETED TO DATE**

- 26 • The parties have conducted an FRCP 26(f) conference and have served their respective
- 27 FRCP 26(a) disclosures;
- 28 • The parties have completed written discovery;

- Walmart has deposed Plaintiff;

**DISCOVERY TO BE COMPLETED AND  
REASONS FOR EXTENSION OF DISCOVERY**

Discovery to be completed includes:

- FRCP 35 Independent Medical Examination of Plaintiff.
- Depositions of fact witnesses/store employees;
- Deposition of Walmart’s Rule 30(b)(6) witness;
- Expert Disclosures
- Depositions of expert witnesses and treating medical providers;

The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested extension.

The parties agree that, pending this Court’s approval, extension of initial and rebuttal expert disclosure deadlines is appropriate, as the parties wish to further investigate this case, conduct necessary discovery prior to pertinent deadlines, and potentially reach a resolution prior to incurring fees and costs for extensive discovery and experts. Despite the good faith efforts of the parties to comply with the Court’s discovery deadlines, Defendant’s expert’s availability for a preparation of expert reports, as well as the availability of Defendant’s PMK to appear for deposition necessitates this extension.

**~~PROPOSED~~ NEW DISCOVERY DEADLINES**

Initial Expert Disclosure Deadline

Currently: December 23, 2016

Proposed: February 6, 2017

Rebuttal Expert Disclosure Deadline

Currently: January 21, 2017

Proposed: March 7, 2017

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1 If this extension is granted, all discovery mentioned above should be concluded within the  
2 stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is  
3 made by the parties in good faith and not for the purpose of delay.  
4

5 DATED this 21<sup>ST</sup> day of November, 2016.  
6

7 /s/ Jamie H. Corcoran

8 Jamie H. Corcoran, Esq.  
9 Nevada Bar No. 11790  
10 BERNSTEIN & POISSON  
11 320 S. Jones Blvd.  
12 Las Vegas, NV 89107

13 Attorneys for Plaintiff  
14 Timothy Boytor

/s/Betsy Jefferis

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504 South Ninth Street  
Las Vegas, Nevada 89101

Attorneys for Defendant  
Wal-Mart Stores, Inc.

15  
16 **ORDER**

17 IT IS SO ORDERED.

18 DATED this 22 day of November, 2016.

19  
20   
21 UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 21<sup>ST</sup> day of November, 2016, I electronically served a copy of **[PROPOSED] ORDER TO EXTEND EXPERT DISCOVERY DEADLINES** as follows:

By facsimile addressed to the following counsel of record, at the address listed below;

By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

By Hand Delivery (ROC); and/or

By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
SCOTT L. POISSON, ESQ. Nevada Bar No. 10188 JAMIE H. CORCORAN, ESQ Nevada Bar No. 11790 BERNSTEIN & POISSON 320 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-256-4566 Fax 702-256-6280	Plaintiff

/s/ Betsy C. Jefferis

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An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC