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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LOUIS A. CARDINALI,  
  
Plaintiff,  
  
v.  
  
PLUSFOUR, INC; RC WILLEY HOME  
FURNISHINGS; WEBBANK/DELL  
FINANCIAL SERVICES; EQUIFAX  
INFORMATION SERVICES, LLC;  
EXPERIAN INFORMATION SOLUTIONS,  
INC.,  
  
Defendants.

Case No. 2:16-cv-02046-JAD-NJK

**STIPULATION AND ORDER TO EXTEND  
MOTION DEADLINES**

**[Fourth Request]**

Pursuant to LR 6-1 and LR 26-4, Plaintiff Louis A. Cardinali (“Plaintiff”) and Experian Information Solutions, Inc. (“Experian”), by and through their respective counsel of record, hereby stipulate and request that this Court extend the dispositive motion deadline and class certification deadlines only by 14 days. While this is the fourth request to extend deadlines, this is the first request to extend the dispositive motion and class certification deadlines only. In support of this

1 Stipulation, the parties state as follows:

2 **A. DISCOVERY COMPLETED TO DATE**

3 Presently, the active parties to this case are Plaintiff and Experian Information Solutions,  
4 Inc. (“Experian”), and as such, the recitation of discovery shall be with respect to Plaintiff and  
5 Experian.

- 6 1. Plaintiff filed his initial complaint on 8/29/2016. ECF Dkt. 1.
- 7 2. Experian answered the complaint on 10/3/2016. ECF Dkt. 16.
- 8 3. The Court entered its initial scheduling order on 12/9/2016. ECF Dkt. 31.
- 9 4. Plaintiff moved for leave to amend his Complaint on 1/3/2017. ECF Dkt. 34.
- 10 5. The Court entered its protective order on 1/4/2017. ECF Dkt. 35.
- 11 6. The Court granted Plaintiff’s motion for leave to amend his complaint on  
12 4/19/2017. ECF Dkt. 56 (minutes).
- 13 7. Plaintiff filed his First Amended Complaint on 4/19/2017. ECF Dkt. 57.
- 14 8. Experian answered the First Amended Complaint on 4/28/17. ECF Dkt. 58.
- 15 9. The Court granted the parties’ stipulated Amended Scheduling Order on  
16 10/13/2017. ECF Dkt. 67.
- 17 10. On October 25, 2017, Experian propounded its first set of Requests for Production  
18 of Documents, Requests for Admission, and Interrogatories on Plaintiff.
- 19 11. On November 9, 2017, Plaintiff propounded his first set of Requests for Production  
20 of Documents, Requests for Admission, and Interrogatories on Experian.
- 21 12. On November 23, 2017, Plaintiff responded to Experian’s first set of Requests for  
22 Production of Documents, Requests for Admission, and Interrogatories.
- 23 13. On December 11, 2017, Experian responded to Plaintiff’s first set of Requests for  
24 Production of Documents, Requests for Admission, and Interrogatories.
- 25 14. On December 12, 2017, Experian sent Plaintiff a 26-7 letter outlining various  
26 concerns about Experian’s written discovery responses.
- 27
- 28

- 1 15. On December 28, 2017, Plaintiff sent Experian a 26-7 letter outlining various  
2 concerns about Experian's written discovery responses.
- 3 16. On January 8, 2017, the parties met and conferred for approximately four hours  
4 regarding their respective 26-7 letters, and reached numerous final and tentative  
5 agreements to supplement their requests.
- 6 17. On February 20, 2018, Plaintiff propounded his Second Set of Requests for  
7 Production of Documents on Experian.
- 8 18. On March 22, 2018, Experian responded to Plaintiff's Second Set of Requests for  
9 Production of Documents.
- 10 19. On March 22, 2018, Experian propounded its Deposition Notice on Plaintiff,  
11 tentatively setting the deposition for April 18, 2018.
- 12 20. On March 30, 2018, Plaintiff propounded his Deposition Notice of 30(b)(6)  
13 deposition on Experian, tentatively setting the deposition for May 11, 2018.
- 14 21. On April 10, 2018, Plaintiff propounded his First Amended Deposition Notice of  
15 30(b)(6) deposition on Experian, tentatively setting the deposition for May 17,  
16 2018.
- 17 22. On April 27, 2018, Plaintiff propounded a Third Amended Deposition Notice of  
18 30(b)(b) deposition on Experian, setting the deposition for June 13, 2018.
- 19 23. On May 10, 2018, Experian conducted the deposition of Plaintiff.
- 20 24. On May 15, 2018, the parties conferred regarding the status of Experian's discovery  
21 responses.
- 22 25. On or about May 21, 2018, Experian propounded a subpoena duces tecum and  
23 subpoena for testimony to Haines & Krieger, LLC. Subsequent to these subpoenas,  
24 motion practice ensued. The Court denied Haines & Krieger, LLC's request to  
25 quash the deposition subpoena. That deposition occurred and there is currently  
26 ongoing motion practice relating to that deposition and the subpoena duces tecum.
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- 1           26.    The parties have continued to update and supplement prior discovery responses and  
2                   disclosures.
- 3           27.    The deposition of Experian’s 30(b)(6) designee occurred on July 19, 2018.
- 4           28.    The deposition of Amy Cardinali occurred on November 20, 2018.
- 5           29.    The deposition of Plaintiff’s expert, Stan Smith, occurred on December 3, 2018,  
6                   and the deposition of Plaintiff’s other expert, Dean Binder, is set for December 13,  
7                   2018.
- 8           30.    Plaintiff served additional discovery requests on December 7, 2018.
- 9           31.    The parties anticipate setting Experian’s expert’s deposition for January 29, 2019.

10   **B.    Specific Description of Discovery that Remains to be Completed**

- 11           1.    Experian’s responses to the written discovery served on December 7, 2018, to be  
12           completed within the discovery period.
- 13           2.    Deposition of Experian’s expert witness, which the parties agreed may be taken  
14           after the close of discovery.

15   **C.    Reasons Why the Remaining Discovery Was Not Completed**

16           The parties aver, pursuant to LR 6-1, that good cause exists for the requested extension.  
17           The parties have diligently pursued discovery and anticipate completing all remaining discovery  
18           prior to the close of the discovery period, which is January 7, 2019. The only exception is the  
19           deposition of Experian’s expert. Due to previously scheduled international travel of the witness  
20           and the holidays, the parties have been unable to complete Experian’s expert’s deposition. The  
21           expert is available on January 29, 2019, and the parties respectfully request a two-week extension  
22           as to the dispositive motion deadline and class certification deadline to accommodate taking this  
23           expert’s deposition after the close of the discovery period. The parties are not seeking to conduct  
24           any additional discovery post-close of discovery and do not seek to extend that deadline  
25           otherwise.<sup>1</sup>

26           \_\_\_\_\_

27           <sup>1</sup> Experian and Plaintiff acknowledge the Court previously stated that no other extensions  
28           will be granted. The parties respectfully request this brief extension as to the dispositive motion  
          and class certification deadline only to accommodate the witness’s previously scheduled travel

1 **D. Proposed Discovery Deadlines**

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<b>Event</b>	<b>Current Deadline</b>	<b>Proposed New Deadline</b>
Dispositive Motions	February 5, 2019	February 19, 2019
Motion for Class Certification	February 5, 2019	February 19, 2019
Pre-Trial Order	March 7, 2019	March 21, 2019

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5 Dated this 10th day of December, 2018.

6 */s/ Miles N. Clark*

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**NO FURTHER EXTENSIONS  
WILL BE GRANTED.**

**ORDER**

**IT IS SO ORDERED**

Dated: December 12, 2018

  
UNITED STATES MAGISTRATE JUDGE

and the holidays.