

Gordon & Rees LLP  
300 S. Fourth Street, Suite 1550  
Las Vegas, NV 89101

1 ROBERT S. LARSEN (SBN: 7785)  
2 PHIL W. SU (SBN: 10450)  
3 GORDON & REES LLP  
4 300 S. Fourth Street, Suite 1550  
5 Las Vegas, NV 89101  
6 Telephone: (702) 577-9316  
7 Facsimile: (702) 255-2858  
8 [rlarsen@gordonrees.com](mailto:rlarsen@gordonrees.com)  
9 [psu@gordonrees.com](mailto:psu@gordonrees.com)  
10 Attorneys for Defendants  
11 COX ENTERPRISES, INC. and  
12 AETNA LIFE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT  
14 DISTRICT OF NEVADA

15 TODD TOLBERT, ) CASE NO. 2:16-cv-02223-JAD-PAL  
16 )  
17 Plaintiff, )

18 vs. )

19 COX ENTERPRISES, INC., as Plan )  
20 Administrator of the Cox Enterprises, Inc. )  
21 Long-Term Disability Coverage Plan; )  
22 AETNA LIFE INSURANCE COMPANY, )  
23 as Claims Administrator for the Cox )  
24 Enterprises, Inc. Long-Term Disability )  
25 Coverage Plan; DOES I through V; and )  
26 ROE CORPORATIONS I through V, )  
27 inclusive, )  
28 Defendants. )

**JOINT STIPULATION AND ORDER TO  
EXTEND DEADLINES**

**(FIRST REQUEST)**

Defendants Cox Enterprises, Inc. and Aetna Life Insurance Company and Plaintiff Todd Tolbert stipulate and agree as follows:

1. The Court approved the parties' Discovery Plan and Scheduling Order setting forth ERISA deadlines in its Order dated December 28, 2016 (Doc. 14).
2. The Order required, inter alia, the Defendants to file a joint Administrative Record ("AR") with the Court and/or Plaintiff to file any motions related to the contents of the AR, by Thursday, March 16, 2017 (see Section III. B., Doc. 14).
3. The parties have exchanged correspondence regarding the proposed contents of the AR and have been conducting concurrent settlement discussions regarding this matter.

However, the parties have identified potential issues regarding the filing of the AR that

1 would necessitate a short extension of time to properly resolve. Specifically, given the  
2 sheer volume of the Administrative Record (comprising of over 1,500 pages) and the fact  
3 that Plaintiff's private medical information is integral to the issues in this case, redaction  
4 is impracticable and the Administrative Record must be filed under seal to protect  
5 Plaintiff's private information pursuant to F.R.C.P. 5.2(a) and (d).

- 6 4. The Parties require additional time to submit a motion to file the AR under seal, pursuant  
7 to Local Rule 10-5 and to prepare the voluminous AR filing itself.
- 8 5. Accordingly, the parties respectfully request an extension, through Friday, April 7, 2017,  
9 to comply with Section III. B. of the Scheduling Order (Doc. 14).
- 10 6. This is the parties' first request for an extension of time with respect to the Scheduling  
11 Order and is not made for purposes of delay, but rather to allow the parties sufficient time  
12 to finalize and protect confidential portions of the contents of the AR. By proceeding  
13 with this new deadline, the parties seek to avoid potential motion practice regarding the  
14 contents of the AR and to forestall the need to file discovery motions.
- 15 7. This extension will not affect any remaining deadlines in the Scheduling Order.

16 DATED: March 15, 2017

17 LAW OFFICE OF JULIE A. MERSCH

18 By: \_\_\_\_\_/s/ Julie A. Mersch\_\_\_\_\_

19 JULIE A. MERSCH

20 Bar No.: 004695

21 701 S. 7th Street

22 Las Vegas, NV 89101

23 (702) 387-5868

24 Attorney for Plaintiff Todd Tolbert

DATED: March 15, 2017

GORDON & REES, LLP

By: \_\_\_\_\_/s/ Phil W. Su\_\_\_\_\_

ROBERT S. LARSEN

Nevada Bar No. 7785

PHIL W. SU

Nevada Bar No. 10450

300 S. Fourth St., Ste. 1550

Las Vegas, NV 89101

(702) 577-9316

Attorneys for Defendants COX ENTERPRISES,  
INC.; and AETNA LIFE INSURANCE  
COMPANY

**IT IS SO ORDERED:**

Dated this 3rd day of April, 2017.

  
UNITED STATES MAGISTRATE JUDGE