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12 *Attorneys for Defendant Liberty Insurance Underwriters*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 MARTIN S. ROOD,

16 Plaintiff,

17 vs.

18 LIBERTY INSURANCE UNDERWRITERS,
19 INC., a Stock Insurance Company, a/k/a/
20 Liberty Mutual Group; DOES 1 through 5,
21 and ROE COROPORATIONS 1 through 5,

22 Defendant(s).

Case No.: 2:16-cv-002586-JAD-NJK

**STIPULATION AND ~~(PROPOSED)~~
ORDER TO EXTEND DISCOVERY
DEADLINES**

(Second Request)

23 Plaintiff, Martin S. Rood ("Plaintiff"), and Defendant, Liberty Insurance
24 Underwriters, Inc. ("Defendant"), by and through their respective attorneys of record,
25 respectfully submit the following Stipulation and [Proposed] Order requesting to extend
26 the discovery deadline by Sixty (60) days of the current scheduling order deadlines.
27 This is the parties' second request for an extension of the deadlines in this case.

28 **I. INTRODUCTION.**

On October 27, 2017, the Court entered a Stipulation and Order to Extend
Discovery Deadlines (First Request); (ECF No. 20) filed by the parties. The Stipulation
and Order set the following dates:

(a) Discovery Cut-off: February 1, 2018

(b) Deadline for Initial Expert Disclosures: December 4, 2017

1 (c) Deadline for Rebuttal Expert Disclosures: January 3, 2018

2 (d) Interim Status Report: December 4, 2017

3 (e) Final Date to File Dispositive Motions: March 5, 2018

4 (f) Pretrial Order: April 4, 2018 (not later than 30 days after the date for
5 dispositive motions, unless dispositive motions are filed).

6 **II. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

7 Pursuant to the requirements of LR6-1 and LR26-4, the parties provide the Court
8 with the following information in support of their stipulation to extend discovery in this
9 matter.

10 *A. Discovery Completed.*

- 11 1. Initial Disclosure served by Defendant;
- 12 2. Written Discovery (Interrogatories, Requests for Admissions, and
13 Requests for Production of Documents) propounded by Plaintiff and
14 responded to by Defendant.

15 **III. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
16 **COMPLETED.**

- 17 3. Depositions of fact and party witnesses disclosed by the parties.
- 18 4. Additional written discovery to be completed by both parties.

19 *B. Reason Why Discovery Has Not Been Completed.*

20 The parties need additional time to complete discovery in an effort to avoid costs
21 of obtaining expert witnesses. The parties are exploring the possibility of settlement of
22 this dispute. In addition, the parties need to conduct depositions of out-of-state
23 witnesses and complete written discovery.

24 **IV. REASONS WHY THE DISCOVERY REMAINING WILL NOT BE COMPLETED**
25 **WITHIN THE TIME LIMITS SET BY THE DISCOVERY ORDER.**

26 Extending the discovery process will provide sufficient time for the parties to
27 respond to and propound additional written discovery, and notice and conduct
28 appropriate depositions, including out-of-state witnesses which scheduling is difficult

1 during the holiday season.

2 Pursuant to LR 26-4, herein parties aver that in view of the possibility of
3 settlement of this case, there is good cause to extend discovery deadlines in this matter,
4 to enable both parties to complete the whole discovery process, and/or to assess and
5 finalize settlement of this case.

6 The parties therefore respectfully request to extend the discovery deadline by
7 sixty (60) days of the discovery order for the above good reasons shown. This extension
8 is not intended to delay the progress of this case, but will instead allow the parties to
9 complete the entire discovery process, or settle the case.

10 **V. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

11 The parties agree that discovery will be extended sixty (60) days from the
12 Stipulation and Order, and the deadlines will be extended as follows:

- 13 **A.** Close of Discovery: April 2, 2018 (April 1, 2018 falls on a Sunday).
- 14 **B.** Final Date to File Dispositive Motions: May 7, 2018 (May 5, 2018 falls on a
15 Saturday).
- 16 **C.** Pretrial Order: June 7, 2018 (not later than 30 days after the date for
17 dispositive motions, unless dispositive motions are filed).

18 **VI. CURRENT TRIAL DATE.**

19 There is no trial date scheduled as of yet.

20 Dated this 28 th day of December, 2017	20 Dated this 28 th day of December, 2017
21 SJ LAW	21 LIPSON, NEILSON, COLE, SELTZER &
22	22 GARIN, P.C.
23 By: <u>/s/ Spencer M. Judd</u>	23 By: <u>David A. Clark</u>
24 Spencer M. Judd, Esq.	24 David A. Clark, Esq.
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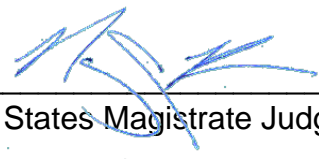
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Rood vs. Liberty Insurance Underwriters
Case No.: 2:16-cv-002586-JAD-NJK

ORDER

IT IS SO ORDERED.

DATED: January 2, 2018



United States Magistrate Judge