

1 PHILLIP A. SILVESTRI
2 Nevada Bar No. 11276
3 GREENSPOON MARDER, P.A.
4 3993 Howard Hughes Pkwy, #400
5 Las Vegas, NV 89169
Telephone: (702) 978-4249
Facsimile: (954) 433-4256
Phillip.Silvestri@gmlaw.com

6 MYRNA L. MAYSONET
(Admitted Pro Hac Vice)
7 CHERISH A BENEDICT
(Admitted Pro Hac Vice)
8 GREENSPOON MARDER, P.A.
9 201 East Pine St., Suite 500
Orlando, Florida 32801
Telephone: (407) 425-6559
10 Facsimile: (407) 422-6583
myrna.maysonet@gmlaw.com
11 cherish.benedict@gmlaw.com

12 | Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

17 MELVIN SHIPMAN,) CASE NO. 2:16-cv-02722-JCM-CWH
18 Plaintiff,)
19 vs.) STIPULATION AND REQUEST TO
20) EXTEND DISCOVERY AND OTHER
21 NAV-LVH CASINO, LLC dba WESTGATE) DEADLINES
22 LAS VEGAS RESORT & CASINO, a Nevada) (Fourth Request)
23 Limited Liability Company,)
24 Defendant.)
25 _____)

COME NOW, Plaintiff, named above, by and through his counsel of record, MICHAEL P. BALABAN, ESQ., and Defendant, named above, by and through its attorneys of record, MYRNA L. MAYSONET, ESQ., CHERISH A BENEDICT, ESQ., and PHILLIP A. SILVESTRI, ESQ.,

1 pursuant to Local Rule 26-4, and herein stipulate, agree and make joint application to extend the
2 discovery cut-off and related dates for a period of sixty three (63) days up to and including
3 Monday, July 1, 2018. The present discovery cut-off date is April 30, 2018, and no calendar call
4 date or trial date has been set.

5 This request is being made timely in accordance with LR 26-4 and the prior scheduling
6 Order, which provides that requests for further discovery extensions must be made no later than
7 twenty-one (21) days before the existing discovery cut-off date, or, here, by April 9, 2018. This is
8 the fourth request for an extension.

9 To date both sides have completed written discovery. The parties are in the process of
10 coordinating depositions however approximately three to four key witnesses (ie. managers making
11 the key decisions challenged here) are no longer employed by Defendant and some have moved.
12 Other witnesses sought by Plaintiff including co-workers have also left employment. While the
13 parties have been diligently looking for them, it has been a difficult process as it requires the
14 service of subpoenas once they are located. Unfortunately, these types of hospitality workers tend
15 to move a lot making the effort to locate them even more cumbersome. Additionally, counsel for
16 the parties are seeking to conserve judicial resources as they have other cases before this Court
17 involving overlapping witnesses and thus the attorneys for both parties are coordinating the
18 scheduling of the depositions in such cases to minimize the burden on the witnesses and travel for
19 out-of-state counsel.

21 The parties and their attorneys have diligently worked to complete discovery as
22 expediently as possible and will continue to try to complete the remaining discovery in as
23 expedient a manner as possible.

24 Given the above, the parties request that the discovery period be extended as follows:

<u>Activity</u>	<u>Former Date</u>	<u>Requested Date</u>
Discovery Cut-Off Date	4/30/18	07/02/18
Dispositive Motions	05/29/18	07/31/18

1 Pretrial Order

06/26/18

08/28/18¹

2 In accordance with LR 26-4 the parties understand that any further requests for discovery
3 extensions must be made no later than twenty-one (21) days before the new proposed discovery
4 cut-off date of July 2, 2018 or no later than twenty-one (21) days before any other deadline sought
5 to be extended.

6
7 DATED this 5th day of April, 2018.

8 Law Offices of Michael P. Balaban

Greenspoon Marder

9 */s/ Michael P. Balaban*

10 Michael P. Balaban, Esq.
11 Nevada Bar No. 9370
12 Law Offices of Michael P. Balaban
13 10726 Del Rudini Street
14 Las Vegas, NV 89141
15 Tel: (702)586-2964
16 Fax: (702)586-3023

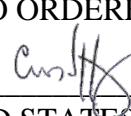
17 Attorneys for Plaintiffs

/s/ Myrna L. Maysonet

18 MYRNA L. MAYSONET
19 Florida Bar No.: 0429650
20 CHERISH A BENEDICT
21 Florida Bar No. 99073
22 201 East Pine Street, Suite 500
23 Orlando, FL 32801
24 Telephone: (407) 425-6559
25 Facsimile: (407) 422-6583
26 myrna.maysonet@gmlaw.com
27 cherish.benedict@gmlaw.com
28 lorraine.kyser@gmlaw.com
Phillip A. Silvestri, Esq.
Nevada Bar No. 11276
GREENSPOON MARDER
3993 Howard Hughes Pkwy., Ste. 400
Las Vegas, Nevada 89169
Tel: (702)978-4249
Fax: (954)333-4256
phillip.silvestri@gmlaw.com

Attorneys for Defendant

IT IS SO ORDERED


UNITED STATES MAGISTRATE JUDGE

DATED: April 9, 2018

1¹ Or 30 days after the decision on the last dispositive motion.