

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

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

Attorneys for Defendant

12
 13 UNITED STATES DISTRICT COURT
 14 DISTRICT OF NEVADA
 15

16 MELVIN SHIPMAN,
 17
 18 Plaintiff,
 19 vs.

) CASE NO. 2:16-cv-02722-JCM-CWH
)
) STIPULATION AND REQUEST TO
) EXTEND DISCOVERY AND OTHER
) DEADLINES
)
) (Fifth Request)

20 NAV-LVH CASINO, LLC dba WESTGATE
 21 LAS VEGAS RESORT & CASINO, a Nevada
 22 Limited Liability Company,
 23 Defendant.
 24

25 COME NOW, Plaintiff, named above, by and through his counsel of record, MICHAEL P.
 26 BALABAN, ESQ., and Defendant, named above, by and through its attorneys of record, MYRNA
 27 L. MAYSONET, ESQ., CHERISH A BENEDICT, ESQ., and PHILLIP A. SILVESTRI, ESQ.,
 28 pursuant to Local Rule 26-4, and herein stipulate, agree and make joint application to extend the

1 discovery cut-off and related dates for a period of thirty (30) days up to and including August 1,
2 2018. The present discovery cut-off date is July 2, 2018, and no calendar call date or trial date has
3 been set.

4 The parties attempted to make this request in accordance with LR 26-4 and the prior
5 scheduling Order, which provides that requests for further discovery extensions must be made no
6 later than twenty-one (21) days before the existing discovery cut-off date, or, here, by June 11,
7 2018. Due to communication delays, the parties were unable to agree to terms of the extension
8 until approximately midnight on June 11, 2018. The parties submit this request as soon as
9 practicable after agreement. This is the fifth request for an extension.

10 The parties have completed written discovery and are in the process of scheduling
11 depositions. A number of key witnesses have moved and/or are no longer working for defendant.
12 Witnesses have also moved out of state. While the parties are in the process of locating the
13 witnesses, it has taken more time than anticipated. The parties have agreed to conduct several
14 depositions prior to the current close of discovery, however. Counsel for both parties have other
15 cases before this Court, which involve overlapping witnesses to some extent and, thus, the
16 attorneys for both parties are coordinating the scheduling of the depositions in such cases to
17 minimize the burden on the witnesses and travel for out-of-state counsel.

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

21 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	07/02/18	08/01/18
Dispositive Motions	07/31/18	08/31/18
Pretrial Order	08/28/18	09/30/18 ¹

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¹ Or 30 days after the decision on the last dispositive motion.

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

6 DATED this 12th day of June, 2018.

7 Law Offices of Michael P. Balaban

Greenspoon Marder LLP

8 /s/ Michael P. Balaban

/s/ Myrna L. Maysonet

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

MYRNA L. MAYSONET
Florida Bar No.: 0429650
CHERISH A BENEDICT
Florida Bar No. 99073
201 East Pine Street, Suite 500
Orlando, FL 32801
Telephone: (407) 425-6559
Facsimile: (407) 422-6583
myrna.maysonet@gmlaw.com
cherish.benedict@gmlaw.com
Attorneys for Defendant

16 Attorneys for Plaintiffs

17 Phillip A. Silvestri, Esq.
18 Nevada Bar No. 11276
19 GREENSPOON MARDER LLP
20 3993 Howard Hughes Pkwy., Ste. 400
21 Las Vegas, Nevada 89169
22 Tel: (702) 978-4249
23 Fax: (954) 333-4256
24 phillip.silvestri@gmlaw.com

Attorneys for Defendant

25 IT IS SO ORDERED

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27 _____
28 UNITED STATES MAGISTRATE JUDGE

DATED: June 13, 2018