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 7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 LINO MURILLO,

10 Plaintiff,

11 vs.

12 BRENDAN MICHAEL GOAD;
 CORPORATION OF THE PRESIDING
 BISHOP OF THE CHURCH OF JESUS
 13 CHRIST OF LATTER DAY SAINTS; DOES I
 through X, inclusive; and ROE
 14 CORPORATIONS I through X, inclusive,

15 Defendants.

Case No. 2:16-cv-02739-RFB-CWH

**STIPULATION AND [PROPOSED] ORDER
 TO EXTEND THE DEADLINE FOR
 PRETRIAL DISCLOSURES**

First Request

16 Defendant Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints
 17 (“CPB”), Defendant Brendan Goad (“Elder Goad”) (Elder Goad and CPB are collectively “Defendants”),
 18 and Plaintiff Lino Murillo (collectively, the “Parties”) stipulate and agree as follows:

- 19 A. **Whereas**, discovery closed on July 31, 2017. (ECF No. 14 at 3:11.)
 20 B. **Whereas**, dispositive motions are due on August 29, 2017. (Id.)
 21 C. **Whereas**, pretrial disclosures are due on August 30, 2017. (Id.)
 22 D. **Whereas**, the Parties will be filing one or more dispositive motions.
 23 E. **Whereas**, although the Parties do not concede that the Court will grant any of their
 24 dispositive motions, the Parties agree that it would promote judicial efficiency and economy for pretrial
 25 disclosures to be made after the Court rules upon dispositive motions. That ruling could alter the exhibits
 26 and witnesses that the parties intend to introduce or call at trial. Extending the pretrial disclosure
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1 deadline would conserve the parties' time and resources by streamlining their disclosures, eliminating the
2 need to include documents and witnesses that may not be introduced or called at trial, and ensuring that
3 they do not have to substantially revise their disclosures following the Court's rulings. It also would
4 conserve the parties' time and resources by eliminating the need for the parties to object under FED. R.
5 Civ. P. 26(a)(3)(B) to documents or depositions that may not be used at trial depending upon the Court's
6 rulings.¹

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24 ¹ With respect to (1) the requirement in Rule 26(a)(A)(ii) for the designation of those witnesses
25 whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript
26 of the pertinent parts of the deposition, and (2) the requirement in Rule 26(a)(3)(B) for objecting to a
27 deposition designated by another party under Rule 26(a)(3)(A)(ii), it also should be noted that a
considerable number of witnesses were deposed in this case who reside outside of Nevada and beyond
the Court's subpoena power under Rule 45(c)(1)(A). The Court's rulings on forthcoming dispositive
motions could alter which of these witnesses the parties wish to designate under Rule 26(a)(A)(ii).

1 **WHEREFORE**, the Parties stipulate and agree that pretrial disclosures shall be due two weeks
2 after the date upon which the Court issues a written ruling on all forthcoming, dispositive motions. The
3 Parties further stipulate and agree that the current deadline for filing the joint pre-trial order of October
4 2, 2017 be extended and due 30 days after the filing of pretrial disclosures.

5 IT IS SO STIPULATED August 15, 2017.

6 CARBAJAL & MCNUTT, LLP

MORRIS LAW GROUP

7 /s/ Matt Wolf

/s/ Raleigh Thompson

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15 LAW OFFICE OF JULIE MERSCH

16 /s/ Julie Mersch

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20 Attorneys for Plaintiff

21 **IT IS SO ORDERED:**

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23 _____
24 UNITED STATES MAGISTRATE JUDGE

25 DATED: August 16, 2017
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