

REED SMITH LLP
10 S. Wacker Drive, 38th Floor
Chicago, Illinois 60606

1 John D. Shugrue, Esq. (admitted *pro hac vice*)
2 Kevin B. Dreher, Esq. (admitted *pro hac vice*)
3 REED SMITH LLP
4 10 South Wacker Drive, Suite 4000
5 Chicago, Illinois 60606-7507
6 Tel: (312) 207-1000
7 Fax: (312) 207-6400
8 Email: KDreher@ReedSmith.com;
9 JShugrue@ReedSmith.com

10 -and-

11 Andrew F. Dixon, Esq.
12 Nevada State Bar No. 8422
13 BOWLER DIXON & TWITCHELL LLP
14 3137 East Warm Springs Road, Ste. 100
15 Las Vegas, Nevada 89120
16 Phone: (702) 436-4333
17 Fax: (702) 260-8983
18 Email: andrew@nevadalegalcounsel.com

19 *Attorneys for Plaintiffs, INTERNATIONAL*
20 *GAME TECHNOLOGY and IGT-UK GROUP*
21 *LIMITED*

Amy M. Samberg
Nevada Bar No. 10212
FORAN GLENNON PALANDECH
PONZI & RUDLOFF PC
One Renaissance Tower
Two North Central Avenue, 18th Floor
Phoenix, AZ 85004
Telephone: 602-777-6230
Facsimile: 312-863-5099
Email: asamberg@fgppr.com

Justin S. Hepworth
Nevada Bar No. 10080
Casey G. Perkins
Nevada Bar No. 12063
FORAN GLENNON PALANDECH
PONZI & RUDLOFF PC
2200 Paseo Verde Parkway, Suite 280
Henderson, NV 89052
Telephone: 702-827-1510
Facsimile: 312-863-5099
E-Mail: cperkins@fgppr.com

Attorneys for Defendant ILLINOIS
NATIONAL INSURANCE CO.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

INTERNATIONAL GAME TECHNOLOGY
and IGT-UK GROUP LIMITED

Plaintiffs,

v.

ILLINOIS NATIONAL INSURANCE CO.

Defendant.

Civil No. 2:16-cv-02792

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
DISPOSITIVE MOTIONS**

(Seventh Request)

Plaintiffs International Game Technology and IGT-UK Group Limited (collectively
“Plaintiffs”) and Defendant Illinois National Insurance Co. (“INIC”), by and through their
respective counsel of record, hereby stipulate and request for good cause showing that the
Court extend the deadline for the parties to file dispositive motions in this action by
approximately thirty (30) days from Monday, September 10, 2018 to October 10, 2018. The

1 parties also jointly request that the Court continue to defer ruling on Plaintiffs’ June 12, 2018
2 Motion to Compel Defendant to Produce Documents (dkt. 79) pending the parties’ settlement
3 negotiations. If the parties are unable to reach a settlement, they will jointly advise the Court
4 so that the motion may then be considered and ruled upon.

5 This is the second request by the parties since the close of discovery to specifically
6 extend the deadline to file dispositive motions and the seventh overall request by any party to
7 amend any case management deadlines in this matter.

8 As required by Local Rule 26-4, the parties state as follows:

9 **I. DISCOVERY COMPLETED TO DATE**

- 10 • The parties conducted the Fed. R. Civ. P. 26(f) conference.
- 11 • The parties have exchanged initial and supplementary disclosures of documents
12 and lists of witnesses, including the exchange of tens of thousands of pages of
13 documents.
- 14 • Plaintiffs propounded multiple requests for production of documents, to which
15 INIC responded.
- 16 • INIC propounded requests for production of documents and interrogatories on
17 Plaintiffs, to which Plaintiffs have responded.
- 18 • Plaintiffs propounded multiple sets of interrogatories and requests for admission
19 on INIC to which INIC has responded.
- 20 • INIC propounded requests for admission and additional requests for production
21 of documents to which Plaintiffs responded.
- 22 • Plaintiffs have taken the depositions of INIC pursuant to Rule 30(b)(6) as well
23 as four current and former claim handlers, a claim supervisor, a former
24 underwriter, and the Global Head of Financial Lines – Specialty Claims.
- 25 • INIC has taken the deposition of Plaintiffs pursuant to Rule 30(b)(6) as well as
26 two of Plaintiffs’ employees, Senior Legal Counsel for IGT-UK and Plaintiffs’
27 former risk manager.

28

- Subpoenas have been issued to multiple nonparties requesting the production of documents.
- The parties have disclosed expert witnesses and rebuttal experts.
- The parties have taken the depositions of multiple expert witnesses and Defendant’s rebuttal expert.
- The parties have engaged in multiple meet and confer teleconferences and correspondence regarding the above discovery.

II. DISCOVERY TO BE COMPLETED

- Plaintiffs and Defendants are awaiting resolution from the United States District Court for the Southern District of New York on Plaintiffs’ pending motion to enforce their subpoenas on Luigi Spadafora and Winget, Spadafora & Schwartzberg, LLP and Defendants cross-motion to quash the same. Consistent with the requests herein, the parties will also submit a request that the Southern District of New York defer further briefing or decision on that motion.
- Plaintiffs and Defendants are completing briefing on Plaintiffs’ Motion to Compel pending before this Court. The parties request the Court continue to defer ruling on that motion for the reasons stated herein.

III. LEGAL STANDARD.

The Court has broad discretion in supervising the pretrial phase of litigation, including the timing of discovery. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002). Local Rule 26-4 provides that a request to extend discovery, “if made within 21 days of the subject deadline,” requires a showing of “good cause.” Good cause to extend a case management deadline exists “if it cannot reasonably be met despite the diligence of the party seeking the extension.” *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992).

IV. REASONS WHY DISPOSITIVE MOTION FILINGS CANNOT BE COMPLETED WITHIN THE CURRENT SCHEDULE

Plaintiffs and Defendant seek a thirty (30) day extension of the deadline for filing

1 dispositive motions primarily to allow for additional settlement negotiations to proceed. Over
2 the past several months, the parties have engaged in good faith settlement negotiations
3 concerning this action. Since the Court’s July 5, 2018 Order entering the parties’ Stipulation
4 And Order To Extend Deadline To File Dispositive Motions (dkt. 91), the parties settlement
5 negotiations have continued to progress. Another extension of the deadline to file dispositive
6 motions will provide the parties with the necessary time to explore further settlement
7 negotiations. Consequently, with good cause showing, the parties request that the Court extend
8 the deadline to file dispositive motions by thirty (30) days, as outlined below.

9 As noted above, the parties also jointly request that the Court continue to defer ruling
10 on Plaintiffs’ June 12, 2018 Motion to Compel Defendant to Produce Documents (dkt.79)
11 pending the parties’ settlement negotiations. If the parties are unable to reach a settlement,
12 they will jointly advise the Court so that the motion may then be considered and ruled upon.

13 The parties agree that this stipulation and request is not made for the purpose of undue
14 delay, but to allow for additional time to explore further settlement negotiations. The parties
15 further agree that neither party will be prejudiced by an extension.

16 **V. PROPOSED SCHEDULE**

17 WHEREFORE, the parties respectfully request that this Court extend the case
18 management deadlines in this matter as follows:

19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///

28

1 ///

EVENT	CURRENT DEADLINE	REVISED DEADLINE
File Dispositive Motions	September 10, 2018	October 10, 2018
Joint Proposed Pretrial Order	October 8, 2018, or 30 days after dispositive motions are resolved	November 7, 2018, or 30 days after dispositive motions are resolved

7 DATED this 3rd day of August, 2018.

8 By: /s/ Kevin B. Dreher

By: /s/ Amy M. Samberg

9 John D. Shugrue, Esq. (admitted *pro hac vice*)
10 Kevin B. Dreher, Esq. (admitted *pro hac vice*)
11 REED SMITH LLP
12 10 South Wacker Drive, Suite 4000
13 Chicago, Illinois 60606-7507
14 Tel: (312) 207-1000
15 Fax: (312) 207-6400
16 Email: KDreher@ReedSmith.com;
17 JShugrue@ReedSmith.com

Amy M. Samberg
Nevada Bar No. 10212
FORAN GLENNON PALANDECH
PONZI & RUDLOFF PC
One Renaissance Tower
Two North Central Avenue, 18th Floor
Phoenix, AZ 85004
Telephone: 602-777-6230
Facsimile: 312-863-5099
Email: asamberg@fgppr.com

14 -and-

15 Andrew F. Dixon, Esq.
16 Nevada State Bar No. 8422
17 BOWLER DIXON & TWITCHELL LLP
18 3137 East Warm Springs Road, Ste. 100
19 Las Vegas, Nevada 89120
20 Phone: (702) 436-4333
21 Fax: (702) 260-8983
22 Email: andrew@nevadalegalcounsel.com

Justin S. Hepworth
Nevada Bar No. 10080
Casey G. Perkins
Nevada Bar No. 12063
FORAN GLENNON PALANDECH
PONZI & RUDLOFF PC
2200 Paseo Verde Parkway, Suite 280
Henderson, NV 89052
Telephone: 702-827-1510
Facsimile: 312-863-5099
E-Mail: cperkins@fgppr.com

20 *Attorneys for Plaintiffs, INTERNATIONAL*
21 *GAME TECHNOLOGY and IGT-UK GROUP*
22 *LIMITED*

Attorneys for Defendant ILLINOIS
NATIONAL INSURANCE CO.

ORDER

23 IT IS SO ORDERED.

24 DATED August 3, 2018

NO FURTHER EXTENSIONS
WILL BE GRANTED.

27 
28 UNITED STATES MAGISTRATE JUDGE