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11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13  
14 KEN KACHUR,

15 Plaintiff,

16 vs.

17 NAV-LVH, LLC dba WESTGATE LAS  
18 VEGAS RESORT & CASINO, a Nevada,  
19 Limited Liability Company,

20 Defendant.

Case No.: 2:16-cv-02899

**STIPULATION AND REQUEST TO  
EXTEND DISCOVERY AND OTHER  
DEADLINES  
(FOURTH REQUEST)**

21 Pursuant to Local Civil Rule 6-1(a), Defendant NAV-LVH LLC dba Westgate Las Vegas  
22 Resort & Casino (“Defendant”) and Plaintiff Ken Kachur (“Plaintiff”), by and through their  
23 respective counsel of record, hereby stipulate as follows:

24 This request is being made timely in accordance with LR 26-4 and the prior scheduling  
25 Order, which provides that requests for further discovery extensions must be made no later than  
26 twenty-one (21) days before the existing discovery cut-off date, June 4, 2018. This is the fourth  
27 request for an extension.  
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1 This stipulation is made and based upon the following factors.

2 To date, the parties have both made their initial disclosures to the other side. Defendant has  
3 propounded written discovery to Plaintiff, to which Plaintiff has responded. Plaintiff has also  
4 propounded written discovery to Defendant, which has been responded to. In addition, the parties  
5 have conducted some depositions and are in the process of locating a number of witnesses who are  
6 no longer employed by Defendant. Additionally, a key witness has moved to California and it has  
7 been difficult to coordinate a suitable date for her deposition. Further, counsel for both parties  
8 have other cases before this Court, which involve overlapping witnesses to some extent and, thus,  
9 the attorneys are coordinating the scheduling of the depositions in such cases to minimize the  
10 burden on the witnesses and travel for out-of-state counsel. Lastly, because of the nature of this  
11 case, a deposition of Plaintiff's doctor is required and the scheduling of this deposition has been  
12 continually hampered as a result of the doctor's busy schedule. This deposition is currently in the  
13 process of being scheduled, and the parties anticipate it will be scheduled within two weeks.

14  
15 The parties and their attorneys have diligently worked to complete discovery as  
16 expediently as possible and will continue to try to complete the remaining discovery in as  
17 expedient a manner as possible.

18 Given the above circumstances, the parties request that the discovery period be extended as  
19 follows:

<u>Activity</u>	<u>Former Date</u>	<u>Requested Date</u>
Discovery Cut-Off Date	06/04/18	07/19/18
Dispositive Motions	07/02/18	08/16/18
Pretrial Order	08/06/18	09/20/18 <sup>1</sup>

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<sup>1</sup> Or 30 days after the decision on the last dispositive motion.

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In accordance with LR 26-4 the parties understand that any further requests for discovery extensions must be made no later than twenty-one (21) days before the newly-proposed discovery cut-off date of July 19, 2018 or no later than twenty-one (21) days before any other deadline sought to be extended.

DATED this 10<sup>th</sup> day of May, 2018.

Law Offices of Michael P. Balaban

Greenspoon Marder LLP

*/s/ Michael P. Balaban*

*/s/ Phillip A. Silvestri*

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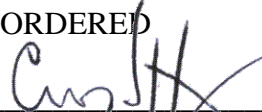
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IT IS SO ORDERED

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

DATED: May 15, 2018