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 14 CIT BANK, N.A.

15 **UNITED STATES DISTRICT COURT**  
 16 **STATE OF NEVADA**

17 STEVEN G. PINCHUK,  
 18  
 19 Plaintiff,

20 vs.

21 CIT BANK, N.A.; and EQUIFAX, INC.,  
 22  
 23 Defendants.

Case No: 2:16-cv-02986-RFB-GWF

*Hon. Richard F. Boulware*

**MOTION TO CONTINUE TIME  
 TO FILE THE PROPOSED  
 PRETRIAL CONFERENCE  
 ORDER (First Request)**

24 Defendant CIT Bank, N.A. (“CIT”), through its attorney Brian C.  
 25 Vanderhoof, Esq. with the law firm of LeClairRyan, hereby requests, under Local  
 26 Rule IA 6-1 and Judge Boulware’s Court Rules, that the Court extend the time for  
 27 the parties to file their Proposed Pretrial Order by 21 days. This is the first request.

1 On September 20, 2018, the Court heard and decided CIT's Motion for  
2 Summary Judgment. After granting the motion in part and following the lengthy  
3 hearing, the Court Ordered the parties to file their proposed pretrial order within 30  
4 days. CIT now timely requests a brief extension of that deadline.

5 Good cause exists for the relief requested herein as this request is not made  
6 for purpose of delay or any other improper purpose. Among other reasons, good  
7 cause exists because the proposed pretrial order is currently due on October 22,  
8 2018 and, for reasons unknown to the moving party, Plaintiff's counsel has not yet  
9 initiated the Local Rule 16-3 meetings required to prepare the proposed pretrial  
10 order and the parties have not otherwise been able to meet to meaningfully discuss  
11 the issues or settlement. Moreover, even if the parties were able to commence the  
12 Local Rule 16-3 meetings this week there will be insufficient time to allow CIT  
13 representatives to meaningfully offer input into the required filing. Such a result  
14 would be unduly prejudicial to CIT because the document will shape the direction  
15 of the trial. Furthermore, because the trial date has not been set there will be no  
16 prejudice to any party by this brief request to continue the filing deadline. Indeed, a  
17 well prepared proposed pretrial order will help the parties streamline the trial which  
18 will benefit not only the parties, but more importantly the Court and the jurors.

19 Plaintiff's counsel has not responded to either the telephonic or email request  
20 to stipulate to the relief requested by this motion. As a result, it is unclear whether  
21 Plaintiff opposes the requested relief. At a minimum, Plaintiff has not articulated  
22 any basis by which she may be prejudiced from the proposed continuance and, in  
23 fact, will likely benefit from a continuance given that Plaintiff does not appear to be  
24 in a position to timely file the proposed pretrial order that is due just three court  
25 days from this filing.

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1 For the foregoing reasons, CIT respectfully requests that the Court grant the  
2 present motion and enter an order continuing the time to file the proposed pretrial  
3 order from October 22, 2018 to November 12, 2018.

4 DATED: October 18, 2018 LECLAIRRYAN, LLP

5 By: /s/ Brian C. Vanderhoof  
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11 **ORDER**

12 IT IS HEREBY ORDERED THAT the parties shall file their joint proposed  
13 pretrial order on or before November 12, 2018.

14 IT IS SO ORDERED:

15   
16 RICHARD F. BOULWARE, II.  
17 United States District Judge

18 Dated: October 19, 2018.