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

10 KELLY JACKSON, an individual,

11 Plaintiff,

12 vs.

13 NYE COUNTY *ex rel.* NYE COUNTY
14 SHERRIFF'S OFFICE; ANTONIO M.
15 MEDINA

16 Defendants.

Case No: 2:16-cv-03022-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINES SET FORTH IN
JOINT DISCOVERY PLAN AND
SCHEDULING ORDER**

(FIRST REQUEST)

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18 **THE PARTIES HEREBY STIPULATE AND AGREE** by and between Plaintiff
19 KELLY JACKSON, by and through counsel Matthew Q. Callister, Esq. and Mitchell S. Bisson,
20 Esq., of the law firm of Callister & Associates, and Defendant NYE COUNTY *ex rel.* NYE
21 COUNTY SHERRIFF'S OFFICE and ANTONIO MEDINA, by and through counsel Rebecca
22 Bruch, Esq., of the law firm of Erickson, Thorpe & Swainston, LTD., that, in accordance with
23 LR 7-1 and 26-4 of the Local Rules of Practice for the United States District Court, District of
24 Nevada, the Court's May 10, 2017 Discovery Plan and Scheduling (Doc No. 22) be amended
25 and deadlines as listed below be extended ninety (90) days from the currently scheduled dates.
26 This is the first request to extend the deadlines by the parties.

27 This request includes extensions of the deadlines for discovery, initial expert and rebuttal
28 expert disclosures under Rule 26(a)(2), dispositive motions, the interim status report, and Joint

1 Pretrial Order. The present and proposed new dates for these deadlines are set forth in Section
2 D below. The extension is necessary to accommodate the completion of certain depositions prior
3 to retention of expert witnesses.

4 **A. STATEMENT SPECIFYING DISCOVERY COMPLETED (LR 26-4(a))**

5 The Rule 26(f) conference was held on April 19, 2017. Following the Rule 26(f)
6 conference, the proposed Joint Discovery Plan and Scheduling Order was filed on May 2, 2017.
7 The Court approved the proposed Discovery Plan and Scheduling Order on May 10, 2017.
8 Defendant exchanged initial disclosures on July 18, 2017. Plaintiff exchanged initial disclosures
9 on November 9, 2017.

10 On June 22, 2017, Defendant propounded Interrogatories upon Plaintiff, which Plaintiff
11 responded to. On July 31, 2017, Defendant propounded Notice of Deposition upon Plaintiff
12 which was set for October 13, 2017. Plaintiff requested the deposition to be vacated pursuant to
13 Section C below.

14 **B. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE
15 COMPLETED (LR26-4 (b))**

16 Plaintiff needs to propound written discovery and take numerous depositions. Defendant
17 needs to take the deposition of Plaintiff and several others. Both parties need to retain experts
18 after the Plaintiff's deposition is taken and depose the respective experts.

19 **C. REASONS FOR REQUESTED EXTENSION (LR26-4 (c))**

20 The parties attended and participated in an ENE on July 27, 2017, but there was no
21 settlement.

22 Plaintiff was scheduled to appear for her deposition on October 13, 2017, however, the
23 deposition was vacated due to Plaintiff's traumatic experience at the Route 91 Harvest Festival
24 on October 1, 2017. At this time, Plaintiff is not sure when she will be ready to proceed forward.
25 Therefore, this request is necessary to allow time for Plaintiff to heal and prepare to move
26 forward with discovery.

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1 **D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY (LR26-4 (d))**

2 Pursuant to LR 26-4, the parties propose to extend the current deadlines and jointly
3 submit the following to the Court:

- 4 1. **Discovery Cut-Off Date**: The current deadline to complete discovery is
5 December 20, 2017. The parties propose extending the discovery deadline by 90
6 days, which will make the new deadline to complete discovery March 21, 2018;
- 7 2. **Interim Status Report**: The current deadline to file a Joint Interim Status
8 Report was October 23, 2017. The parties propose extending this deadline 90
9 days, which will make a Joint Interim Status report due: January 19, 2018;
- 10 3. **Expert Disclosures**: The current deadline for expert disclosures was October
11 23, 2017. The parties propose extending this deadline 90 days, which will make
12 the last date to disclose experts pursuant to Fed. R. Civ. P 26 (a) (2) January 19,
13 2018;
- 14 4. **Rebuttal Experts**: The current deadline for rebuttal expert disclosures is no
15 later than thirty (30) days after the initial disclosure of experts, or November 22,
16 2017. The parties propose extending this deadline 90 days, which will make the
17 last date to disclose rebuttal experts February 22, 2018;
- 18 5. **Dispositive Motions**: The current last date to file dispositive motions is no later
19 than thirty (30) days after the discovery cut-off date, or January 19, 2018. The
20 parties propose extending this deadline 90 days, which will make the last date
21 to file dispositive motions April 18, 2018;
- 22 6. **Pre-Trial Order**: The current date the parties shall file the joint pretrial order
23 is no later than thirty (30) days after the dispositive-motion deadline, or
24 February 19, 2018. The parties propose extending this deadline 90 days, which
25 will make the joint pretrial order due by May 15, 2018 (if dispositive motions
26 are filed, the deadline for filing the joint pretrial order will be suspended until
27 30 days after decision on the dispositive motions or further court order.)
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7. **Pre-Trial Disclosures:** Parties will make their pretrial disclosures at least thirty (30) days before trial. Within fourteen (14) days after they are made, unless the court sets a different time, a party may serve and promptly file a list of the following objections: any objections to the use under FRCP 32 (a) of a deposition designated by another party under FRCP 26 (a) (3) (A) (ii); and any objection, together with the grounds for it, that may be made to the admissibility of materials identified under FRCP 26 (a) (3) (A) (iii). An objection not so made – except for one under Federal Rule of Evidence 402 or 403 - - - is waived unless excused by the court for good cause.

DATED this 9th day of November, 2017 DATED this 9th day of November, 2017.

CALLISTER & ASSOCIATES

ERICKSON, THORPE & SWANTON, LTD

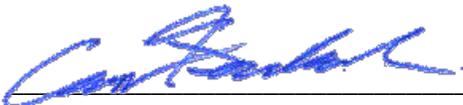
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ORDER

IT IS SO ORDERED.

DATED this 13th day of November, 2017.


UNITED STATES MAGISTRATE JUDGE

Prepared and Submitted by:

CALLISTER & ASSOCIATES

/s/ Mitchell S. Bisson
MITCHELL S. BISSON, ESQ.
Attorneys for Plaintiff