

**CALLISTER LAW GROUP**  
330 East Charleston Blvd., Suite 100  
Las Vegas, Nevada 89104  
TEL: (702) 385-3343 FAX: (702) 385-2899

1 **MATTHEW Q. CALLISTER, ESQ.**  
Nevada Bar No. 1396  
2 **MITCHELL S. BISSON, ESQ.**  
Nevada Bar No. 011920  
3 **CALLISTER LAW GROUP**  
330 E. Charleston Blvd., Suite 100  
4 Las Vegas, NV 89104  
Tel. 702.385.3343  
5 Fax. 702.385.2899  
Email: mqc@callcallister.com  
6 mbisson@callcallister.com

7 Attorneys for Plaintiff

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

11 KELLY JACKSON, an individual,  
12 Plaintiff,

13 vs.

14 NYE COUNTY ex rel. NYE COUNTY  
15 SHERRIFF'S OFFICE; ANTONIO M.  
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  
(SECOND REQUEST)**

17  
18 **THE PARTIES HEREBY STIPULATE AND AGREE** by and between Plaintiff  
19 KELLY JACKSON, by and through counsel of record Matthew Q. Callister, Esq. and Mitchell  
20 S. Bisson, Esq., of the law firm of Callister Law Group, and Defendant NYE COUNTY ex rel.  
21 NYE COUNTY SHERRIFF'S OFFICE and ANTONIO MEDINA, by and through counsel of  
22 record Rebecca Bruch, Esq., of the law firm of Erickson, Thorpe & Swainston, LTD., that, in  
23 accordance with LR 7-1 and 26-4 of the Local Rules of Practice for the United States District  
24 Court, District of Nevada, the Court's November 22, 2017, Order to Extend Deadlines Set forth  
25 In Joint Discovery Plan (Doc No. 36) be amended and deadlines, as listed below, be extended  
26 ninety (90) days from the currently scheduled dates. This is the second request to extend the  
27 deadlines by the parties.  
28

1 This request includes extensions of the deadlines for discovery, initial expert and rebuttal  
2 expert disclosures under Rule 26(a)(2), dispositive motions, the interim status report, and Joint  
3 Pretrial Order. The present and proposed new dates for these deadlines are set forth in Section  
4 D below. The extension is necessary to accommodate the completion of certain depositions prior  
5 to retention of expert witnesses.

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

7 The Rule 26(f) conference was held on April 19, 2017. Following the Rule 26(f)  
8 conference, the proposed Joint Discovery Plan and Scheduling Order was filed on May 2, 2017.  
9 The Court approved the proposed Discovery Plan and Scheduling Order on May 10, 2017.  
10 Defendant exchanged initial disclosures on July 18, 2017. Plaintiff exchanged initial disclosures  
11 on November 9, 2017. On November 22, 2017, the Court approved a Stipulation to Extend  
12 Deadlines Set Forth in the Joint Discovery Plan and Scheduling Order (First Request).

13 On June 22, 2017, Defendant propounded Interrogatories upon Plaintiff, which Plaintiff  
14 responded to. On July 31, 2017, Defendant propounded Notice of Deposition upon Plaintiff  
15 which was set for October 13, 2017. Plaintiff requested the October 13, 2017, deposition to be  
16 vacated because of ongoing medical issues as well as trauma caused by her attendance at the  
17 Route 91 shooting in Las Vegas. On February 9, 2018, Defendant commenced Plaintiff's  
18 deposition, but was not able to complete the deposition because Plaintiff had not yet produced  
19 certain documents upon which she had relied in this case. On February 13, 2018, Defendant  
20 propounded Requests for Production of Documents on Plaintiff. On March 1, 2018, Defendant  
21 supplemented its FRCP 26 disclosures.

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

24 Plaintiff needs to supplement its witness disclosures, respond to Requests for Production  
25 propounded by Defendants on February 13, 2018, and both parties need to take numerous  
26 depositions. Defendant reserves, and Plaintiff does not object to completion of the Plaintiff's  
27 deposition and take several other depositions. Both parties need to retain experts after the  
28 Plaintiff's deposition is taken and depose the respective experts.

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

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

4           Defendant commenced the deposition of Plaintiff on February 9, 2018. During said  
5 deposition discoverable yet undisclosed information was introduced by Plaintiff. Plaintiff is in  
6 the process of preparing supplemental disclosures and responding to Requests for Production.  
7 Defendant reserved the right to continue Plaintiff's deposition. Additionally, on April 11, 2018,  
8 counsel for Defendant will be undergoing a medical procedure that will require a two-week leave  
9 of absence. Therefore, this request is necessary to allow time for the parties to move forward  
10 with discovery.

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

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

- 14           1. **Discovery Cut-Off Date**: The current deadline to complete discovery is March  
15           21, 2018. The parties propose extending the discovery deadline by 90 days,  
16           which will make the new deadline to complete discovery June 19, 2018  
17           (Tuesday);
- 18           2. **Interim Status Report**: The current deadline to file a Joint Interim Status  
19           Report was January 19, 2018. The parties propose extending this deadline 90  
20           days, which will make a Joint Interim Status report due: April 19, 2018  
21           (Thursday);
- 22           3. **Expert Disclosures**: The current deadline for expert disclosures was January  
23           19, 2018. The parties propose extending this deadline 90 days, which will make  
24           the last date to disclose experts pursuant to Fed. R. Civ. P 26 (a) (2) April 19,  
25           2018 (Thursday);
- 26           4. **Rebuttal Experts**: The current deadline for rebuttal expert disclosures is no  
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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 8<sup>th</sup> day of March, 2018.

DATED this 8<sup>th</sup> day of March, 2018.

**CALLISTER LAW GROUP**

**ERICKSON, THORPE & SWAINTON, LTD**

/s/ Matthew Q. Callister  
**MATTHEW Q. CALLISTER, ESQ.**  
Nevada Bar No. 001396  
**MITCHELL S. BISSON, ESQ.**  
Nevada Bar No. 011920  
330 E. Charleston Blvd., Suite #100  
Las Vegas, Nevada 89104  
Attorneys for Plaintiff

/s/ Rebecca Bruch  
**REBECCA BRUCH, ESQ.**  
Nevada Bar No. 007289  
99 West Arroyos Street  
Reno, Nevada 89509  
Attorneys for Defendant Nye County

**ORDER**

**IT IS SO ORDERED.**

DATED this 9<sup>th</sup> day of March, 2018.

  
UNITED STATES MAGISTRATE JUDGE

Prepared and Submitted by:

**CALLISTER LAW GROUP**

/s/ Matthew Q. Callister  
Matthew Q. Callister, ESQ.  
Attorneys for Plaintiff