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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CYNTHIA FALLS, et al.

Plaintiffs,

v.

DESERT PALACE, INC.,

Defendant.

Case No. 2:17-cv-00019-GMN-PAL

ORDER

(Mot Reconsider – ECF No. 87)

(Mot Seal – ECF No. 88)

(Motion to Amend – ECF No. 95)

Before the court is plaintiffs’ Motion for Reconsideration of Order Denying Emergency Motion to Extend Discovery Deadlines (ECF No. 87), and plaintiffs’ Motion for Leave to File Under Seal Declaration of Kathleen J. England in Support (ECF No. 88). The court has considered the motions, defendants’ Opposition (ECF No. 93), plaintiffs’ Reply (ECF No. 94), Plaintiff’s Clarifying Correction (ECF No. 95) which was docketed as a Motion to Amend/Correct Reply, and defendant’s Response (ECF No. 96).

The motion to reconsider requests reconsideration of the court’s Order (ECF No. 86) denying plaintiffs’ request to extend the discovery cutoff a fourth time for 90 days. The emergency motion was filed after the third extension of the discovery cutoff. The motion to reconsider is supported by the declaration of Ms. England who provides more details of the nature and timing of lead counsel’s family medical issues on which the emergency motion was initially based and an update on those circumstances.

While the court empathizes with the personal toll family medical issues take, the court denies the motion for reconsideration. The motion does not meet the standard for reconsideration. For the reasons stated in the Order (ECF No. 86) denying the emergency motion, plaintiffs have had more than adequate time to complete discovery within the extended time allowed. Plaintiffs’ counsel intentionally delayed scheduling depositions in this case for various reasons unrelated to


1 family medical issues, declined to delegate responsibility to take depositions to other attorneys  
2 actively involved in the case, and now seeks to take an additional 20 depositions after the close of  
3 discovery without seeking a stipulation or leave of court to take more than 10 depositions allowed  
4 by Rule 30.

5 For these reasons,

6 **IT IS ORDERED** that:

- 7 1. Plaintiffs' Motion for Reconsideration of Order Denying Emergency Motion to Extend  
8 Discovery Deadlines (ECF No. 87) is **DENIED**;
- 9 2. Plaintiffs' Motion for Leave to File Under Seal Declaration of Kathleen J. England in  
10 Support (ECF No. 88) is **GRANTED**.
- 11 3. Plaintiff's Motion to Amend/Correct (ECF No 95) is **GRANTED**.

12 DATED this 26th day of December 2018.

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15 PEGGY A. ZEEN  
16 UNITED STATES MAGISTRATE JUDGE  
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