McCart-Pollak v. Etkin et al Dpc. 89

FILED RECEIVED ENTERED SERVED ON COUNSEL/PARTIES OF RECORD DANIEL T. HAYWARD OCT 1 6 2018 Nevada State Bar No. 5986 2 LAXALT & NOMURA, LTD. **CLERK US DISTRICT COURT** 9790 Gateway Drive, Suite 200 3 DISTRICT OF NEVADA Reno, Nevada 89521 BY: DEPUTY Tel. (775) 322-1170 4 Fax (775) 322-1865 5 dhayward@laxalt-nomura.com Attorneys for Defendants 6 Edward Etkin, and Law Offices of Edward Etkin, Esq. PC 7 UNITED STATES DISTRICT COURT 8 DISTRICT OF NEVADA 9 10 SHANA LEE MCCART-POLLAK, Case No. 2:17-cv-00042-RFB-CWH 11 Plaintiff, VS. 12 EDWARD ETKIN, an individual; LAW 13 OFFICES OF EDWARD ETKIN, ESQ. PC 14 a New York business entity; DOES I

STIPULATION AND PROPOSED ORDER RE: JOINT PRETRIAL ORDER DUE DATE (ECF NO. 69)

Plaintiff Shana Lee McCart-Pollak, in pro per, and Defendants Edward Etkin and the Law Offices of Edward Etkin, Esq. PC, by and through their undersigned counsel, hereby submit the following proposed amendment to the Amended Scheduling Order previously entered by this Court (ECF No. 69).

The Amended Scheduling Order states as follows:

Through X; ROE BUSINESS ENTITIES

Defendants.

I through X, inclusive,

6. <u>Pretrial Order [LR II 26-1(b)(5)]</u>:

The Joint Pretrial Order shall be filed 30 days after the Court files its decision on Defendants' Motion for Summary Judgment (ECF No. 55), together with any supplement thereto. All motions in limine shall be submitted with the Pretrial Order.

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7. Fed.R.Civ.P. 26(a)(3) disclosures [LR II 26-1(b)(6)]:

The disclosures required by Fed.R.Civ.P. 26(a)(3) and any objections thereto shall be included in the Joint Pretrial Order.

(ECF No. 69, Amended Scheduling Order.) During the September 21, 2018 hearing regarding Defendants' Motion for Summary Judgment, the Court also stated that the Joint Pretrial Order would be due in 30 days. (ECF No. 87, at 27:13-20.) The first court day following the expiration of that 30-day period is Monday, October 22, 2018.

Following the September 21, 2018 hearing Plaintiff diligently pursued obtaining a copy of her invoices from the Holland & Hart law firm so that she could redact and produce them as discussed during the hearing. The person in the Holland & Hart accounting department with whom she was communicated was out of the office for a period of time, and thus Plaintiff was not able to obtain and produce those records until October 9, 2018. In the meanwhile, Plaintiff and Defendants were engaged in active settlement discussions which commenced after the September 21, 2018 hearing, which continued through the week of October 7 - 12, 2018. The parties were reluctant to embark on the expensive process of drafting the Joint Pretrial Order while attempting to resolve the case.

For these reasons, the parties respectfully jointly request that the Court extend the due date for the submission of the Joint Pretrial Order (which will include all Rule 26(a)(3) disclosures), and any motions in limine, to **Friday**, **November 9**, 2018, an extension of less than three weeks from the present due date.

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1	WHEREFORE, Plaintiff and Defen	dants stipulate and request that the Court amend the
2	Amended Scheduling Order (ECF No. 69) a	s set forth above.
3	DATED this 15 th day of October, 2018.	DATED this 15 th day of October, 2018.
4	LAXALT & NOMURA, LTD.	
5	/s/ Daniel T. Hayward	11 m D C at P 11 h
6	DANIEL T. HAYWARD	SHANA McCART-POLLAK
7	Nevada State Bar No. 5986	524 Blanche Court
8	9790 Gateway Drive, Suite 200 Reno, Nevada 89521	Henderson, Nevada 89052 Tel. (702) 439-2263
·	Tel. (775) 322-1170	lotsoflovebuddies@yahoo.com
9	Fax (775) 322-1865	Plaintiff in Pro Per
10	dhayward@laxalt-nomura.com Attorneys for Defendants	
11	Edward Etkin, and	
12	Law Offices of Edward Etkin, Esq. PC	
13	07777	
	<u>ORDER</u>	
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14 15	IT IS SO ORDERED.	
	IT IS SO ORDERED.	Const
15	IT IS SO ORDERED.	UNITED STATES MACISTRATE JUDGE
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15 16 17	IT IS SO ORDERED. DATED October 18, 2018	Cun It
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LAXALT & NOMURA.
ATTORNEYS AT LAW
9790 GATEWAY DRIVE
BUITE 200
RENO, NEVADA 89821

1	CERTIFICATE OF SERVICE	
2	Case Name: McCart-Pollak v Etkin et al	
3	District Court Case No: 02:17-cv-00042-RFB-CWH	
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5	LObert Lee Macont Dellate de deux de falleres Leur verille de de conse	
6	I, Shana Lee McCart-Pollak , declare as follows. I am over the age of 18 years:	
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8	My address is: 524 Blanche Court	
9	Henderson, Nevada 89052 (702) 439-2263	
10	On October 16, 2018 , I served the foregoing document described as:	
11	STIPULATION AND PROPOSED ORDER RE; JOINT PRETRIAAL ORDER DUE	
12	DATE (ECF NO. 69)	
13	By placing a true and correct copy thereof in a sealed envelope, with postage, and deposited said envelope in the United States mail in Henderson, Nevada addressed to	
15		
16		
17	Laxalt and Nomura, LTD 9790 Gateway Drive, Suite 200 Reno, NV 89521 Attn: Dan Hayward	
18		
19		
20	I declare under penalty of perjury that the foregoing is true and correct.	
21		
22	Executed on October 16, 20/8 at Hindurson, NV (date) (place of signing)	
23	(date) (place of signing)	
24	Show I & Code Person	
25	Signature	
26	Shara Lu M. Cart- Pollak Signature Thana Lee M. Cart-Pollak	
27	name	

PLEADING TITLE - 1