

1 production. The parties conducted an ENE Session on June 7, 2017, wherein the parties
2 agreed to conduct an IME of the Plaintiff as part of the ENE process. The discovery time
3 lines were stayed while the matter was in the ENE Process. The ENE was continued to
4 October 25, 2017. The case did not resolve on that date.

5 The deposition of the Plaintiff is scheduled for January 25, 2018. The deposition
6 of the Defendant's witness, Ryan Lee, is scheduled for January 24, 2018. The parties
7 have also exchanged various supplemental document disclosures.

8 2. Discovery that remains to be completed:

9 Additional time is needed in order to facilitate the setting of the depositions by the
10 Defendant of the Plaintiff's physicians, Dr. Leo Germin, M.D. and Dr. Tawnya
11 Constantino, M.D. Also, the Plaintiff needs to set the deposition of the Defendant's
12 expert, Dr. David L. Ginsburg, M.D.

13 The Plaintiff further needs to set additional depositions of fact witnesses of 3-5.
14 The Defendant may also need to set additional depositions of fact witnesses in the range
15 of 3-5 as well.

16 3. Reasons why discovery has not been completed to date:

17 The setting of the contemplated depositions of Dr. Germin, Dr. Constantino and
18 Dr. Ginsburg will require additional time, given the physicians respective schedules. The
19 parties seek to reset the existing discovery deadline to allow for additional time to set
20 those depositions, as well as to complete the remaining discovery in this case.

21 **Proposed Discovery Schedule:**

22 1. The parties seek to extend the discovery deadline by 60 days from the current
23 discovery deadline of February 22, 2018. The new discovery deadline date shall be April
24 24, 2018.

25 2.. The parties shall have until May 24, 2018 to file dispositive motions. This is 30 days
26 after the discovery cut-off date and does not exceed the outside limit of thirty (30) days
27 following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing
28 dispositive motions.

1 3. The pretrial order shall be filed by June 25, 2018, which is not more than thirty (30)
2 days after the date set for filing dispositive motions in the case. This deadline is
3 suspended if dispositive motions are timely filed and, in such case, the deadline for filing
4 the pretrial order shall be thirty (30) days after decision on said dispositive motions, or by
5 further order of the court. The disclosures required by FRCP Rule 26 (a)(3) shall be
6 made in the joint pretrial order.

7 /s/Kirk T. Kennedy
8 KIRK T. KENNEDY, ESQ.
9 Nevada Bar No: 5032
10 815 S. Casino Center Blvd.
11 Las Vegas, NV 89101
12 (702) 385-5534
13 Attorney for Plaintiff

14 Dated: 12/19/17

15 /s/Karyn M. Taylor
16 KARYN M. TAYLOR, ESQ.
17 Nevada Bar No: 6142
18 6100 Neil Road
19 Reno, NV 89511
20 (775) 834-5781
21 Attorney for Defendant

22 Dated: 12/19/17

23 /s/Neil Alexander
24 NEIL ALEXANDER, ESQ.
25 Nevada Bar No: 5202
26 Littler Mendelson
27 3960 Howard Hughes Pkwy.,#300
28 Las Vegas, NV 89169
(702) 862-8800
Attorney for Defendant
Dated: 12/19/17

17 **ORDER**

18 IT IS SO ORDERED.

19 Dated this 20 day of December, 2017.

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22 UNITED STATES MAGISTRATE JUDGE

23 Submitted by:

24 /s/Kirk T. Kennedy
25 KIRK T. KENNEDY, ESQ.
26 Nevada Bar No: 5032
27 Attorney for Plaintiff
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