1 KIRK T. KENNEDY, ESQ. Nevada Bar No: 5032 815 S. Casino Center Blvd. 2 Las Vegas, NV 89101 office: (702) 385-5534 fax: (702) 385-1869 3 email: ktkennedylaw@gmail.com 4 Attorney for Plaintiff 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA 7 DAWN RICHARD, 2-17-cv-00384-GMN-GWF Individually, 8 Plaintiff, 9 10 VS. 11 NV ENERGY, INC., a Nevada Corporation, DOES 1-10, inclusive; ROE 12 CORPORATIONS 1-10, inclusive, 13 Defendants. 14 15 STIPULATION TO EXTEND DISCOVERY PLAN AND SCHEDULING **ORDER DATES** 16 (Second Request) 17 IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff, 18 DAWN RICHARD, by and through her undersigned counsel, KIRK T. KENNEDY, 19 ESQ., and the Defendant NV ENERGY, INC., by and through its undersigned counsel, 20 KARYN M. TAYLOR, ESQ. and NEIL ALEXANDER, ESQ., of the firm of Littler 21 Mendelson, hereby file this Stipulation to extend the discovery plan and scheduling order 22 dates. The discovery deadline is February 22, 2018. This is the second request to extend 23 the discovery deadline. 24 **DESCRIPTION OF ACTION:** This is an Americans with Disabilities Act 25 discrimination action. Defendant denies all claims for relief. 26 1. Discovery Completed to Date: 27 The parties have exchanged all Rule 26 lists of witnesses and initial document 28

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

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

2. Discovery that remains to be completed:

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

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

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

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

## **Proposed Discovery Schedule:**

- 1. The parties seek to extend the discovery deadline by 60 days from the current discovery deadline of February 22, 2018. The new discovery deadline date shall be April 24, 2018.
- 2.. The parties shall have until May 24, 2018 to file dispositive motions. This is 30 days after the discovery cut-off date and does not exceed the outside limit of thirty (30) days following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing dispositive motions.

	3. The pretrial order shall be filed by June 25, 2018, which is not more than thirty (30)	
1	days after the date set for filing dispositive motions in the case. This deadline is	
2	suspended if dispositive motions are timely filed and, in such case, the deadline for filing	
3	the pretrial order shall be thirty (30) days after decision on said dispositive motions, or by	
4	further order of the court. The disclosures required by FRCP Rule 26 (a)(3) shall be	
5	made in the joint pretrial order.	
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7	/s/Kirk T. Kennedy KIRK T. KENNEDY, ESQ.	/s/Karyn M. Taylor KARYN M. TAYLOR, ESQ.
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10	Attorney for Plaintiff	Attorney for Defendant
11	Dated: 12/19/17	Dated: 12/19/17
12		/s/Neil Alexander NEIL ALEXANDER, ESQ.
13		Nevada Bar No: 5202 Littler Mendelson
14		3960 Howard Hughes Pkwy.,#300 Las Vegas, NV 89169 (702) 862-8800
15		Attorney for Defendant Dated: 12/19/17
16	ORDER	
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18	IT IS SO ORDERED.	
18 19		
18 19 20	IT IS SO ORDERED.	
18 19	IT IS SO ORDERED.	Aday A MAGIŞYRATE JUDGE
18 19 20 21	IT IS SO ORDERED.	HAGISTRATE JUDGE
18 19 20 21 22	IT IS SO ORDERED.  Dated this <u>20</u> day of December, 2017.  UNITED STATES N  Submitted by: /s/Kirk T. Kennedy	HAGISTRATE JUDGE
18 19 20 21 22 23	IT IS SO ORDERED.  Dated this <u>20</u> day of December, 2017.  UNITED STATES N  Submitted by:  /s/Kirk T. Kennedy KIRK T. KENNEDY, ESQ. Nevada Bar No: 5032	HAGISTRATE JUDGE
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18 19 20 21 22 23 24 25	IT IS SO ORDERED.  Dated this <u>20</u> day of December, 2017.  UNITED STATES N  Submitted by:  /s/Kirk T. Kennedy KIRK T. KENNEDY, ESQ. Nevada Bar No: 5032	Aday ATE JUDGE