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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 MARIE ANTIONETTE GUZMAN, as)
 10 Administrator of the Wrongful Death)
 Estates of RAYMOND GUZMAN and)
 11 MARY GUZMAN,)
 12)
 Plaintiff,)

CASE NO: 2:17-cv-00386-APG-GWF

13 vs.)

14 **STIPULATION AND PROPOSED**
ORDER TO EXTEND DISCOVERY
(FIRST REQUEST)

15 THE PEP BOYS MANNY MOE & JACK,)
 a Pennsylvania corporation; COOPER TIRE)
 16 & RUBBER COMPANY, a Delaware)
 corporation; GENERAL MOTORS)
 17 COMPANY, LLC., a Delaware corporation;)
 18 ROE COMPONENT PART)
 MANUFACTURER; ROE)
 19 CORPORATIONS I through X, inclusive,)
 20)
 Defendants.)
 21)

22
 23 Plaintiff Marie Antionette Guzman, pursuant to Fed. R. Civ. P. 16(b) and L.R. 26-4,
 24 hereby requests that the discovery deadlines in the current scheduling order (ECF 20) be
 25 extended for 45 days for the following reasons. The defendants do not object to this.

26 1. Under the current order, the plaintiff's expert disclosures are due December 29,
 27 2017. The plaintiff requests an extension so that her experts have 45 more days to review
 28 documents produced by Cooper Tire on November 20, 2017, just after entry of the protective
 order governing Cooper Tire's documents. (ECF No. 36). To prevent the defendants from being



1 prejudiced by that shift and to ensure the orderly completion of discovery, all remaining
2 deadlines should be extended 45 days.

3 2. This is the first request for an extension by any party, and no party has missed any
4 deadlines in the current scheduling order.

5 3. The parties have completed the following discovery (LR 26-4(a)): The parties
6 have made initial disclosures. Cooper Tire and GM LLC propounded written discovery to the
7 plaintiff, and she responded (albeit inadequately in GM LLC’s view—a motion is forthcoming).
8 The plaintiff propounded written discovery to Cooper Tire and Cooper Tire has responded. The
9 defendants took the depositions of the plaintiff, the driver of the vehicle involved in the crash,
10 some eyewitnesses and first responders.

11 4. The parties anticipate completing the following discovery (LR 26-4(b)): GM LLC
12 expects to move to compel adequate responses from the plaintiff to its written discovery. GM
13 LLC also expects to inspect the tires once Cooper Tire has finished its inspection. All parties
14 anticipate preparing expert reports and conducting expert depositions.

15 5. The parties further stipulate, and the plaintiff expressly agrees, that the extension
16 is not for the purpose of allowing the plaintiff to expand her claims beyond those set forth in the
17 complaint. Therefore, the claim against Cooper Tire is limited to the claim that the subject tire
18 contained design and manufacturing defects that caused it to malfunction. See Compl. ¶¶ 11 &
19 14 (ECF 1, p. 10, ¶¶ 11 & 14). The claims against GM LLC are limited to the claims that “the
20 vehicle was defective and created an unsafe condition due to the inability of its driver to control
21 the vehicle during a tire malfunction and the propensity for the vehicle to flip over....” *Id.*, ¶ 14.
22 The plaintiff agrees not to seek to add new claims or amend pleadings, the deadline for which
23 passed on April 27, 2017. See ECF 20.

24 6. The plaintiff therefore requests that the following deadlines be substituted for
25 those in the current scheduling order:

- 26 a. Last Day for Plaintiff to Disclose Experts: February 12, 2018.
- 27 b. Last Day for Defendants to Disclose Experts: March 16, 2018.
- 28 c. Last Day to File Interim Status Report: March 16, 2018.
- d. Last Day for Parties to Disclose Rebuttal Experts: April 13, 2018.

- 1 e. Last Day to Complete Discovery: May 15, 2018.
2 f. Last Day to File Dispositive Motions: June 14, 2018.
3 g. Last Day to File Joint Pretrial Order: ~~August 14, 2018~~: July 13, 2018
4

5 **IT IS SO ORDERED** this 1st day of December, 2017
6

7 
8 HON. GEORGE W. FOLEY
9 UNITED STATES MAGISTRATE JUDGE
10

11 **STIPULATED:**

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