

1 ROBERT W. FREEMAN, ESQ.
Nevada Bar No. 03062
2 Email: Robert.Freeman@lewisbrisbois.com
PAMELA L. MCGAHA
3 Nevada Bar No. 08181
Email: Pamela.McGaha@lewisbrisbois.com
4 CHERYL A. GRAMES, ESQ.
Nevada Bar No. 12752
5 Email: Cheryl.Grames@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
6 6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
7 702.893.3383
FAX: 702.893.3789
8 *Attorneys for Defendant*
State Farm Mutual Automobile Insurance
9 *Company*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 ***

13 GEORGE FLORENCIO,
14 Plaintiff,
15 vs.

16 STATE FARM MUTUAL AUTOMOBILE
17 INSURANCE COMPANY; DOES I through
18 X, inclusive, and ROE CORPORATIONS I
through X,
19 Defendants.

CASE NO.: 2:17-cv-0451-GMN-GWF

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES**

(THIRD REQUEST)

20 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective
21 counsel of record, hereby stipulate and request that this Court extend discovery in the
22 above-captioned case ninety (90) days, up to and including Tuesday, June 5, 2018. In
23 addition, the parties request that the all other future deadlines contemplated by the
24 Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of
25 this Stipulation and Request, the parties state as follows:

- 26 1. On October 31, 2016, Plaintiff filed his Complaint in the Eight Judicial
27 District Court. (ECF No. 1, Ex. A).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. On January 9, 2017, Plaintiff served the Complaint on the Nevada Department of Business and Industry, Division of Insurance. (Id.).
3. On February 10, 2017, Defendant filed its Petition for Removal. (Id.).
4. On February 17, 2017, Defendant filed its Answer to Complaint. (ECF No. 6).
5. On March 10, 2017, the parties conducted an initial FRCP 26(f) conference and submitted a Stipulated Discovery Plan and Scheduling Order (the “Order”) for the Court’s approval. (ECF No. 10).
6. On March 29, 2017, the Court entered the Stipulated Scheduling Order. (ECF No. 11).
7. On May 10, 2016, Plaintiff propounded written discovery upon Defendant. Defendant served its responses on June 27, 2017.
8. On June 14, 2016, Defendant propounded written discovery upon Plaintiff. Plaintiff served his responses on July 31, 2017.
9. On June 16, 2017, the parties filed a Second Request to Extend Discovery Deadlines. (ECF No. 13).
10. On June 19, 2017, the Court issued its Order extending the discovery deadlines. (ECF No. 14).
11. On September 18, 2017, the parties filed a Third Request to Extend Discovery Deadlines. (ECF No. 15).
12. On September 19, 2017, the Court issued its Order extending the discovery deadlines. (ECF No. 16).
13. Plaintiff served his expert designation on December 29, 2017.
14. Defendant served its expert designation on January 4, 2018.
15. Defendant noticed the deposition of Plaintiff for March 2, 2018, but due to scheduling concerns, the deposition has been tentatively set for March 22, 2018.

DISCOVERY REMAINING

1. Plaintiff will depose Defendant's representatives, and Defendant will depose Plaintiff.
4. Defendant will continue gathering Plaintiff's medical records and other documentation related to Plaintiff's claim.
5. The parties will take the depositions of designated expert witnesses and medical providers.
6. The parties will take the depositions of any and all other witnesses garnered through discovery.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

The parties require additional discovery time because of the heavy trial calendars of Plaintiff's counsel, Plaintiff's unavailability in late February and early March for his deposition, and Defendant's anticipated need to conduct additional discovery following Plaintiff's deposition, as new fact information is likely to come to light. As the current deadline for discovery to close is March 7, 2018, the parties are seeking a ninety (90) day extension of this deadline.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	March 7, 2018	Tuesday, June 5, 2018
Deadline to Amend Pleadings or Add Parties	Closed	Closed

1	Interim Status Report	January 4, 2018	Friday, April 6, 2018 (60 days prior to the close of discovery)
2			
3			
4	Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	January 4, 2018	Closed
5			
6			
7	Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	February 2, 2018	Closed
8			
9			
10	Dispositive Motions	April 4, 2018	Thursday, July 5, 2018 (Thirty days after discovery cutoff)
11			
12	Joint Pretrial Order	February 5, 2018	Monday, August 6, 2018 (30 days after the deadline for dispositive motions) or 30 days after the decision on Dispositive Motions
13			
14			
15			

16 This Request for an extension of time is not sought for any improper purpose or
 17 other purpose of delay. Rather, it is sought by the parties solely for the purpose of
 18 allowing sufficient time to conduct discovery in this case and adequately prepare their
 19 respective cases for trial.

20 This is the third request for extension of time in this matter.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

