

1 LUTHER SNAVELY, ESQ.  
 2 NEVADA BAR NO. 5507  
 3 MARILYN CASTON, ESQ.  
 4 NEVADA BAR NO. 11654  
 5 REZA ATHARI & ASSOCIATES, PLLC  
 6 3365 PEPPER LANE, SUITE 102  
 7 LAS VEGAS, NEVADA 89120  
 8 Ph#: (702) 727-7777  
 9 Email: luthersnavely@atharilaw.com  
 10 Fax#: (702) 458-8508  
 11 ATTORNEY FOR PETITIONER SERGIO MARTINEZ

12 UNITED STATES DISTRICT COURT  
 13 FOR THE DISTRICT OF NEVADA

14 SERGIO MARTINEZ,

15 Petitioner,

16 vs.

17 U.S. CITIZENSHIP AND IMMIGRATION  
 18 SERVICES, et al.,

19 Respondents.

Case No.: 2:17-cv-0471-RFB-VCF

20 **JOINT STIPULATION AND ORDER**  
 21 **TO STAY DISCOVERY AND TO**  
 22 **STAY THE FILING OF THE DISCOVERY**  
 23 **PLAN AND SCHEDULING ORDER**

24 The Petitioner and the Respondents, by and through their respective attorneys, hereby  
 25 join in respectfully requesting that the Court order that Discovery as well as the filing of the  
 26 Discovery Plan and Scheduling Order be stayed until after the Respondents file their Answer in  
 27 this case.  
 28

1 On February 14, 2017, the Petitioner filed his Petition for Judicial Review of the  
2 Respondents' decision to deny his application for Naturalization.

3 On May 19, 2017, the Respondents filed their Motion To Dismiss For Insufficient  
4 Service of Process(#9).

5 On June 1, 2017, the Petitioner filed his Response(#12) to the Respondents' motion and  
6 the Respondents filed their Reply(#13) on June 7, 2017.

7 The Respondents' motion to dismiss is still pending before the Court.

8 The Respondents have not filed their Answer in this case.

9 The Respondents' position is that they have only appeared in this case for the limited  
10 purpose of filing their motion to dismiss(#9).

11 Therefore, in the interests of conservation of resources and to promote an orderly  
12 adjudication of this case, the Parties join and respectfully request that the Court Order that the  
13 discovery period in this case shall not commence until the date on which the Respondents file  
14 their Answer and that the Joint Discovery Plan and Scheduling Order shall be due no later than  
15 10 days after the Respondents file their Answer.

16 DATED this 3<sup>rd</sup> day of July, 2017.

17 JOINTLY SUBMITTED BY:

18 /s/ Luther Snavely

19 \_\_\_\_\_  
20 LUTHER SNAVELY, ESQ.  
21 NEVADA BAR NO. 5507  
22 REZA ATHARI & ASSOCIATES, PLLC  
23 3365 PEPPER LANE, SUITE 102  
24 LAS VEGAS, NEVADA 89120  
25 Ph#: (702) 727-7777  
26 Email: luthersnavely@atharilaw.com  
27 Fax#: (702) 458-8508  
28 ATTORNEY FOR THE PETITIONER

/s/ Joseph F. Carilli, Jr.

27 \_\_\_\_\_  
28 JOSEPH F. CARILLI, JR.  
NEW HAMPSHIRE BAR NO. 15311

1 TRIAL ATTORNEY  
2 U.S. DEPT. OF JUSTICE  
3 CIVIL DIVISION  
4 OFFICE OF IMMIGRATION LITIGATION  
5 DISTRICT COURT SECTION  
6 P.O. BOX 868, BEN FRANKLIN STATION  
7 WASHINGTON, D.C. 20044  
8 Ph#: (202) 616-4848  
9 Email: [joseph.f.carillil2@usdoj.gov](mailto:joseph.f.carillil2@usdoj.gov)  
10 ATTORNEY FOR THE RESPONDENTS

11  
12 **ORDER**

13 IT IS SO ORDERED this 3rd day of July, 2017.

14   
15 \_\_\_\_\_  
16 UNITED STATES MAGISTRATE JUDGE

17 IT IS HEREBY ORDERED that a status hearing is scheduled for  
18 11:00 AM, January 4, 2018, in Courtroom 3D.