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7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9  
 10 LUIS CERVANTES,  
 11 Plaintiff,  
 12 vs.  
 13 EDDIE SCOTT, et al.,  
 14 Defendants.

CASE NO: 2:17-cv-00562-MMD-DJA

**STIPULATION AND ORDER TO EXTEND  
 TIME FOR PLAINTIFF TO RESPOND TO  
 DEFENDANTS EDDIE SCOTT, KEVIN  
 PATIMETEEPORN AND TIMOTHY  
 DORION'S MOTION FOR  
 RECONSIDERATION OF  
 THE COURT'S ORDER DENYING  
 SUMMARY JUDGMENT [ECF No. 117]  
 (Second Request)**

17 COMES NOW, Plaintiff Luis Cervantes ("Plaintiff"), by and through his counsel, the law  
 18 firm of Hatfield & Associates., Ltd., appearing *pro bono publico*, and Defendants Eddie Scott,  
 19 Kevin Patimeteeporn, and Timothy Dorion ("LVMPD Defendants") by and through their  
 20 counsel, the law firm of Kaempfer Crowell, hereby stipulate and agree to extend the time for  
 21 Plaintiff to Respond to LVMPD Defendants' Motion for Reconsideration of the Court's Order  
 22 Denying Summary Judgment [ECF No. 122] due on May 5, 2021 to June 4, 2021.

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 24 Accordingly, Plaintiff shall have up to and including June 4, 2021, to respond to LVMPD  
 25 Defendants' Motion for Reconsideration of the Court's Order Denying Summary Judgment  
 26 [ECF #122].  
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1 This request is submitted pursuant to LR IA 6-1, 6-2 and LR II 7-1 and is the parties  
2 second request for an extension of time for Plaintiff to respond to Defendant's Motion for  
3 Reconsideration of the Court's Order Denying Summary Judgment [ECF #122].

4 Good cause exists for this extension. Plaintiff is incarcerated in High Desert State Prison  
5 and is only allowed one hour of time out of his cell per day. If Plaintiff's counsel calls Plaintiff  
6 his time on the call is deducted from his one hour of time outside the cell, so Plaintiff requests  
7 communication by correspondence rather than a telephone call. Communicating by mail is slow  
8 and difficult and counsel has had difficulty communicating with Plaintiff, which has caused  
9 disruption and delay in representing Plaintiff. Moreover, Defendants have made a settlement  
10 offer to Plaintiff which may resolve the case if accepted and make responding to Defendants'  
11 Motion for Reconsideration of the Court's Order Denying Summary Judgment moot.  
12

13 Defendant has courteously granted this second request for an extension of time to file  
14 Plaintiff's Response. The extension will not prejudice any party and will allow Plaintiff to  
15 adequately brief its opposition to LVMPD Defendants' Motion for Reconsideration of the  
16 Court's Order Denying Summary Judgment filed with this Court. The parties are not delaying  
17 the conclusion of this matter by way of trial or otherwise; no trial date has yet been ordered as a  
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1 new Magistrate Judge is going to be assigned to the case.

2 DATED this 4<sup>th</sup> day of May, 2021

DATED this 4<sup>th</sup> day of May, 2021

3 **HATFIELD & ASSOCIATES**

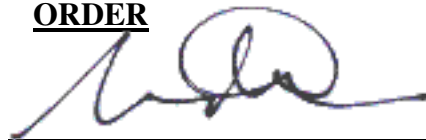
**KAEMPFER CROWELL**

4 */s/ Trevor J. Hatfield*  
5 By: \_\_\_\_\_  
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*/s/ Lyssa S. Anderson*  
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*Attorneys for Defendants Eddie Scott, Kevin*  
*Patimeteeporn, and Timothy Dorion*

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16  
17 **IT IS SO ORDERED:**

**ORDER**



UNITED STATES DISTRICT JUDGE

Dated: May 5, 2021