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 9 UNITED STATES DISTRICT COURT
 10 DISTRICT OF NEVADA

11 SOO YOUNG KIM,
 12 Plaintiff,
 13 vs.

CASE NO.:2:17-CV-00706-APG-NJK

**DEFENDANTS' MOTION TO EXTEND
 DISCOVERY DEADLINES**

14 VERIZON WIRELESS (VAW) LLC, a
 Foreign Limited-Liability Company;
 15 VERIZON WIRELESS NETWORK
 PROCUREMENT LP, a Foreign Limited
 16 Partnership; VERIZON WIRELESS
 SERVICE, LLC, a Foreign Limited Liability
 17 Company; DOES I through X; and ROES I
 through X, inclusive,
 18 Defendant.

(FIRST REQUEST)

20 COMES NOW, Defendants VERIZON WIRELESS (VAW) LLC, VERIZON
 21 WIRELESS NETWORK PROCUREMENT LP and VERIZON WIRELESS SERVICES,
 22 LLC (hereinafter collectively, VERIZON WIRELESS) by and through counsel of record
 23 LEWIS, BRISBOIS, BISGAARD & SMITH LLP and hereby submits its Motion to Extend
 24 Discovery Deadlines pursuant to Local Rule 26-4. The undersigned communicated with
 25 Plaintiff's counsel in an attempt to stipulate to the continuance but Plaintiff's counsel had
 26 not responded prior to the time for the timely filing of this motion therefore the
 27 continuance is being made via this motion.

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MEMORANDUM OF POINTS AND AUTHORITIES

This discovery cutoff in this matter is September 11, 2017. The next discovery deadline in this matter is Initial Expert Disclosures on July 13, 2017. Accordingly this motion is being made 21 days before that deadline and is therefore timely.

This request is being made because of the Defendant’s recent filing of a Motion for Leave to File a Third-Party Complaint naming the party who installed the carpet at the Verizon retail location where the Plaintiff alleges she tripped. At her deposition, which was held on June 7, 2017, the Plaintiff testified that she tripped on carpet the was improperly installed or placed. Accordingly the Defendant sought leave of court to name the carpet installer as a third-party defendant. That motion is pending in this court.

The parties were able to confer regarding this continuance but were unable to formalize a stipulation prior to the time this motion needed to be filed.

Good cause exists for the requested continuance because the Defendants are seeking to avoid unnecessary costs and duplicative efforts of all parties given that its timely motion for leave to add a party has not been ruled upon.

A. DISCOVERY COMPLETED TO DATE

- 1. The Parties conducted the Rule 26(f) meeting.
- 2. The Parties exchanged their Initial Disclosures Pursuant to FRCP. 26(a)(1);
- 3. The Defendant has procured the medical records of the Plaintiff;
- 4. The Defendant propounded written discovery on the Plaintiff which the Plaintiff responded to;
- 5. The Defendant deposed the Plaintiff on June 7, 2017.

B. DISCOVERY REMAINING TO BE COMPLETED

- 1. Plaintiff may choose to propound written discovery on the Defendant;
- 2. The Defendants will depose the Plaintiff’s husband who was present at the time of the alleged fall;
- 3. The Parties will need to depose any other fact witnesses;

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- 4. The Parties will need to retain and disclose expert and rebuttal witnesses;
- 5. The Parties will need to depose expert and rebuttal witnesses as needed;
- 6. The Parties will need to conduct discovery as to the carpet installer once they are made a party.

C. REASONS DEADLINE NOT SATISFIED OR WHY DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMIT SET BY THE DISCOVERY PLAN

No existing deadline has not been satisfied. This motion is being made because the Defendants are seeking to avoid unnecessary costs and duplicative efforts of all parties given that its timely motion for leave to add a party has not been ruled upon.

Good cause exists for extending the existing deadlines. The parties attempted to resolve the issue via a stipulation but were unable to do so in order to allow for the timely filing of this motion.

D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

- 1. The Initial Expert Disclosure deadline should be extended from July 13, 2017 to October 11, 2017.
- 2. The Rebuttal Expert Disclosure deadline should be extended from August 14, 2017 to November 10, 2017.
- 3. Discovery Cut-Off deadline should be extended from September 11, 2017 to December 8, 2017.
- 4. The Dispositive Motions deadline should be extended from October 11, 2017 to January 9, ~~2017~~. 2018.
- 5. The proposed Joint Pretrial Order deadline should be extended from November 10, 2017 to February 8, ~~2017~~. 2018.

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CONCLUSION

The Defendants request a brief ninety day extension of all discovery deadlines in this case pursuant to Rule 26. The motion is made in an effort to avoid duplicative discovery because an additional party is likely to be added to the case.

DATED this 22nd day of June, 2017.

**LEWIS BRISBIOS BISGAARD & SMITH
LLP**

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ORDER

IT IS SO ORDERED that the discovery deadlines are continued as follows:

The Initial Expert Disclosure:	October 11, 2017.
The Rebuttal Expert Disclosure:	November 10, 2017.
Discovery Cut-Off:	December 8, 2017.
The Dispositive Motions:	January 9, 2017 . 2018.
The Joint Pretrial Order:	February 8, 2017 . 2018.

DATED: June 28, 2017



UNITED STATES MAGISTRATE JUDGE