1	LEW BRANDON, JR., ESQ.		
2	Nevada Bar No. 5880		
	KRIS D. KLINGENSMITH, ESQ. Nevada Bar No. 13904		
3	MORAN BRANDON BENDAVID MORA	N	
4	630 S. Fourth Street		
5	Las Vegas, Nevada 89101		
5	(702) 384-8424 (702) 384-6568 - facsimile		
6	1.brandon@moranlawfirm.com		
7	Attorneys for Defendant,		
	ALBERTSONS, LLC		
8			
9	ALEX J. DE CASTROVERDE, ESQ. Nevada Bar No. 6950		
10	ORLANDO DE CASTROVERDE, ESQ.		
10	Nevada Bar No. 7320		
11	DAVID MENOCAL, ESQ.		
12	Nevada Bar No. 13191		
	KIMBERLY VALENTIN, ESQ.		
13	Nevada Bar No. 12509 DE CASTROVERDE LAW GROUP		
14	1149 South Maryland Parkway		
1.5	Las Vegas, Nevada 89104		
15	(702) 383-0606		
16	(702) 383-8741 – Facsimile		
17	alex@decastroverdelaw.com orlando@decastroverdelaw.com		
	Attorneys for Plaintiff,		
18	SILVIA SANDOVAL		
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20	UNITED STATES DISTRICT COURT		
20	DISTRICT OF NEVADA		
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22	SILVIA SANDOVAL,		
	71	CASE NO.: 2:17-cv-00959-APG-PAL	
23	Plaintiff,		
24	v.		
25			
	ALBERTSONS, LLC d/b/a	AMENDED STIPULATION AND	
26	ALBERTSONS; DOES I – X, and ROE	ORDER FOR EXTENSION/MODIFICATION OF	
27	CORPORATIONS I - X, inclusive,	DISCOVERY PLAN AND	
28	Defendants.	SCHEDULING ORDER	
20		(FOURTH REQUEST)	
ON			



630 SOUTH 4TH STREET LAS VEGAS, NEVADA 89101 PHONE:(702) 384-8424 FAX: (702) 384-6568

AMENDED STIPULATION AND ORDER FOR EXTENSION/MODIFICATION OF <u>DISCOVERY PLAN AND SCHEDULING ORDER</u> (FOURTH REQUEST)

COMES NOW Defendant, ALBERTSONS, LLC., by and through its undersigned attorneys, LEW BRANDON, JR., ESQ. and KRIS D. KLINGENSMITH, ESQ. of MORAN BRANDON BENDAVID MORAN, and Plaintiff, by and through her attorneys, ALEX J. DE CASTROVERDE, ESQ. and ORLANDO DE CASTROVERDE, ESQ., of DE CASTROVERDE LAW GROUP, submit to the Court the following Stipulation and Order for Extension/Modification of the Discovery Plan and Scheduling Order (Fourth Request) pursuant to LR IA 6-1, LR 26-4 (a) and Court Order Document No. 26.

I. Local Rule 6-1

Under LR IA 6-1(a) every stipulation to extend time must inform the court of any previous extensions granted and state the reason for the extension requested.

A. The Requirement of Local Rule 6-1 Are Satisfied

This is the fourth request for extension filed by the parties. This extension is requested to allow for the deposition of Plaintiff's experts, Dr. Kaplan and Mr. Jennings, to be conducted.

II. <u>Local Rule 26-4(a)</u>

Under LR 26-4 (a) a statement specifying the Discovery completed:

The parties have nearly completed the discovery phase in this matter. Both sides have sent and received written discovery in the form of Requests for Production, Requests for Admissions and Interrogatories. The Plaintiff and the percipient witnesses identified in her disclosures have been deposed by Defendant. The Plaintiff has deposed Defendant's FRCP 30(b)(6) witness and three of its employees/former employees. Experts have been disclosed by both parties.



630 South 4th Street Las Vegas, Nevada 89101 Phone:(702) 384-8424 Fax: (702) 384-6568

III. <u>Local Rule 26-4(b)</u>

Under LR 26-4(b) a specific description of the Discovery that remains to be completed:

The remaining Discovery to be completed includes the depositions of Plaintiff's experts.

IV. <u>Local Rule 26-4(c)</u>

Under LR 26-4(c) the reasons why Discovery remaining was not completed within the time limits set by the Discovery Plan:

The parties have been working diligently to adhere to the Discovery Plan and Scheduling Order and the subsequent extensions/modifications thereto. On April 6, 2018, the parties attended a private mediation before The Honorable Judge Gene T. Porter, which was unsuccessful in resolving this matter. On March 26, 2018, Defendant noticed the deposition of Plaintiff's experts, Dr. Stuart Kaplan and Mr. Thomas Jennings, which were to be conducted on April 9, 2016. Plaintiff's counsel indicated shortly thereafter that the experts were unavailable at the noticed date and time. The date and time provided for Mr. Jennings' deposition is May 1, 2018 and Plaintiff is currently obtaining availability for Dr. Kaplan. Dr. Jennings' availability falls beyond the current discovery cut-off and it is anticipated that Dr. Kaplan's will as well as the discovery cut-off date is April 16, 2018.

Local Rule 26-4(d)

Under LR 26-4(d) a proposed schedule for completing all remains Discovery:

The parties are proposing to extending only the discovery cutoff deadline and date for the proposed joint pre-trial order for the sole purpose of conducting the depositions of the Plaintiff's experts, Mr. Jennings and Dr. Kaplan. However, as Plaintiff has yet to provide the availability of Dr. Kaplan for his deposition, Defendant may yet request additional time, as necessary, to conduct his deposition prior to Trial. Further, the parties agree that supplemental disclosures shall continue to be made, pursuant to FRCP 26, up and through thirty (30) days before Trial.

1	(i) Discovery Cutoff to be extended from April 16, 2018 until June 16, 2018
2	for the sole purpose of completing the depositions of Dr. Kaplan and Mr. Jennings;
3	(ii) Expert witness disclosures - closed;
4	(iii) Rebuttal expert witness disclosures - closed;
5	(iv) Final date to Amend Pleadings and Add Parties - closed;
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8	August 18, 2018;
9	(vi) Interim Status Report - closed; and
10 11	(vii) Final date to file Dispositive Motions extended from May 15, 2018 to
12	July 16, 2018.
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I	ıl		
1	Therefore, good cause existing, counsel jointly request that this Honorable Court approve		
2	the above stipulation to continue the discovery cutoff until June 16, 2018 for the sole purpose of		
3	conducting the deposition of Plaintiff's expert, Mr. Jennings on May 1, 2018 and the deposition		
4	of Plaintiff's expert Dr. Kaplan to be conducted at a date and time to be provided by Plaintiff's		
5	counsel. Further, the parties stipulate that supplemental disclosures shall continue to be made,		
7	pursuant to FRCP 26.		
8	DATED this 15 th day of May, 2018.		
9	DE CASTROVERDE LAW GROUP	MORAN BRANDON BENDAVID MORAN	
10	DE CASTROVERDE LAW GROUI	MORAN BRANDON BENDAVID MORAN	
11	/s/ Kimberly Valentin., Esq.	/s/ Lew Brandon, Jr., Esq.	
12	ALEX J. DE CASTROVERDE, ESQ. Nevada Bar No. 6950	LEW BRANDON, JR., ESQ. Nevada Bar No. 5880	
13	ORLANDO DE CASTROVERDE, ESQ. Nevada Bar No. 7320	KRIS D. KLINGENSMITH, ESQ. Nevada Bar No. 13904	
14 15	DAVID MENOCAL, ESQ. Nevada Bar No. 13191	630 S. Fourth Street Las Vegas, Nevada 89101	
16	KIMBERLY VALENTIN, ESQ. Nevada Bar No. 12509	Attorneys for Defendant, ALBERTSONS, LLC	
17	1149 South Maryland Parkway Las Vegas, Nevada 89104	11222112 01 (8, 220	
18	Attorneys for Plaintiff, SILVIA SANDOVAL		
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20	IT IS SO ORDERED.		
21	U.S. Magistrate Judge		
22	Dated:_ May 18, 2018		
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