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12 **Attorneys for Defendants**
13 **LAS VEGAS METROPOLITAN POLICE**
14 **DEPARTMENT, OFFICER JONATHAN ROBINSON**
15 **and OFFICER PAUL AKE**

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA

18 CAMILLE L. TAYLOR,

19 Case No.: 2:17-cv-01038-JCM-VCF

20 Plaintiff,

21 vs.

22 OFFICER J. ROBINSON, individually and in
23 his official capacity; OFFICER P. AKE,
24 individually and in his official capacity; LAS
VEGAS METROPOLITAN POLICE
DEPARTMENT; DOE OFFICERS I through X
inclusive; ROES IX through XX, inclusive;

25 Defendants.

26 **STIPULATION TO EXTEND**
27 **DISCOVERY**

28 (First Request)

29 IT IS HEREBY STIPULATED AND AGREED between the parties that the discovery
30 cut-off date of February 5, 2018, be continued for a period of thirty (30) days up to and including
31 March 7, 2018, for the purpose of allowing the parties to complete written discovery, retain and
32 disclose expert witnesses, and take depositions of the parties.

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DISCOVERY COMPLETED TO DATE

Plaintiff and Defendants, LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OFFICER JONATHAN ROBINSON and OFFICER PAUL AKE (“LVMPD Defendants”) have exchanged their initial Rule 26(f) Disclosures.

5 LVMPD Defendants served their initial written discovery requests (Interrogatories,
6 Requests for Admissions and Requests for Production of Documents) on Plaintiff. Plaintiff's
7 responses were due October 30, 2017. No responses have been received. LVMPD Defendants
8 then sent a letter to Plaintiff's counsel advising them that Plaintiff's discovery were past due, and
9 voluntarily giving Plaintiff an additional ten (10) days to respond. Plaintiff's counsel then
10 requested an additional few days to respond, which was granted. Plaintiff's responses are now
11 due November 22, 2017.

DISCOVERY YET TO BE COMPLETED

13 Upon receipt of the responses to written discovery from Plaintiff, LVMPD Defendants
14 intend to serve various third-party subpoenas. Plaintiff will serve written discovery on LVMPD
15 Defendants. The parties will conduct several depositions of the individual parties and third
16 parties. The parties will also disclose expert and rebuttal expert witnesses.

REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

18 LVMPD Defendants have engaged in discovery by serving their initial written discovery
19 requests on Plaintiff. The current deadline for parties to disclose expert witnesses is December
20 7, 2017. Plaintiff's responses to the initial written discovery are due November 22, 2017, less
21 than three (3) weeks before the expert disclosure deadline. LVMPD Defendants are not able to
22 obtain an expert report without documents from third-parties which must be subpoenaed. The
23 subpoenas cannot be issued until LVMPD Defendants receive an executed medical authorization
24 from Plaintiff, which was requested in LVMPD Defendants' initial written discovery requests to

1 Plaintiff. As such, the parties require additional time to continue discovery and provide the
2 information to experts.

3 **PROPOSED EXTENDED DEADLINES**

4 Accordingly, it is hereby stipulated and respectfully requested that this Court enter an
5 order as follows:

6 **(A) Discovery Deadline.**

8

7 That the current discovery cut-off date of February 5, 2017, be extended for a period of
8 thirty (30) days, up to and including March 7, 2017.
8

9 **(B) Experts and Rebuttal Experts.**

10 The parties, and each of them, shall disclose their experts to each other at least sixty (60)
11 days before the discovery cut-off date, or by January 6, 2018. The parties, and each of them,
12 shall disclose rebuttal experts at least thirty (30) days after the initial date for disclosure of
13 experts, or by February 5, 2017.
8

14 **(C) Dispositive Motions.**

15 All pretrial motions, including but not limited to, discovery motions, motions to dismiss,
16 motions for summary judgment, and all other dispositive motions shall be filed and served no
17 later than thirty (30) days after the close of discovery, which is by April 6, 2018.

18 **(D) Motions in Limine/Daubert Motions.**

19 Under LR 16-3(b), any motions in limine, including Daubert type motions, shall be filed
20 and served thirty (30) days prior to the commencement of Trial. Oppositions shall be filed and
21 served and the motion submitted for decision fourteen (14) days thereafter. Reply briefs will be
22 allowed only with leave of the Court.

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(E) Pretrial Order.

Pursuant to LR 26(1)(e)(5) the Joint Pretrial Order shall be filed with this Court no later than thirty (30) days after the date set for filing dispositive motions, which shall be by May 6, 2018, unless dispositive motions are filed, in which case the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after the decision on the dispositive motions or further order of this Court. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections shall be included in the final pretrial order.

(F) Interim Status Report.

In accordance with LR 26-3, not later than sixty (60) days before the discovery cut-off, the parties shall submit an interim status report stating the time they estimate will be required for trial giving three (3) alternative available trial dates, and stating whether in the opinion of counsel who will try the case, trial will be eliminated or its length affected by substantive motions. The status report shall be signed by counsel for each party or the party, if appearing in *pro se*. The parties shall file the interim status report by January 6, 2018.

(G) Extensions or Modification of the Discovery Plan and Scheduling Order.

In accordance with LR 26-4, applications to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend a deadline set forth in a discovery plan shall be received by the Court not later than twenty-one (21) days before the expiration of the subject deadline. A request made after the expiration of the subject deadline shall not be granted unless the movant demonstrates that the failure to set was the result of excusable neglect. Any motion or stipulation to extend a deadline or to reopen discovery shall include:

(a) A statement specifying the discovery completed;

- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan; and
- (d) A proposed schedule for completing all discovery.

This extension request is made in good faith, jointly by the parties, to allow additional time for the parties to conduct additional discovery, take depositions and expert reports to be prepared and disclosed. This request is timely pursuant to LR 26-4. Trial in this matter has not yet been set and dispositive motions have not yet been filed. As such, this extension will not delay this case. Moreover, since this request is a joint request, neither party will be prejudiced. The extension will allow the parties the time needed to adequately prosecute this case.

DATED this 16th day of November, 2017.

KAEMPFER CROWELL

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IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE
CASE NO.: 2:17-cv-01038-JCM-VCF

11-17-2017