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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 KAYSEE NITTA,

12 Plaintiff,

13 vs.

14 UNITED STATES OF AMERICA,

15 Defendants.
16

CASE NO. 2:17-CV-01137-GWN-CWH

17
18 **STIPULATION AND ORDER TO EXTEND**
19 **DISCOVERY DEADLINES**
20 **(FIRST REQUEST)**

21 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of
22 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
23 ninety (90) days, up to and including July 18, 2018. In addition, the parties request that the
24 dispositive motions and pretrial order deadlines be extended for an additional ninety (90) days as
25 outlined herein. In support of this Stipulation and Request, the parties state as follows:

- 26 1. On April 24, 2017, Plaintiff filed her Complaint in United States District Court, District
27 of Nevada.
- 28 2. On June 23, 2017, Defendant filed its Answer.
3. On August 28, 2017, the parties submitted a proposed scheduling order to the Court.

- 1 4. On September 20, 2017, Plaintiff received Defendant's 26.1 list of witnesses and
2 documents.
- 3 5. On September 21, 2017, Plaintiff served her 26.1 list of witnesses and documents.
- 4 6. On November 6, 2017, Plaintiff propounded written discovery on Defendant.
- 5 7. On December 21, 2017, Defendant served its responses to Plaintiff.
- 6 8. On January 2, 2018, Plaintiff noticed the depositions of two lay witnesses, Ana Smith, and
7 Natalie Weckesser.
- 8 9. On January 3, 2018, Defendant propounded written discovery on Defendant.

DISCOVERY REMAINING

- 11 1. Plaintiff will take the deposition of Defendant. Defendant will take the deposition of
12 Plaintiff.
- 13 2. The parties will take the depositions of Plaintiff's medical providers once Defendant is
14 able to obtain the medical records.
- 15 3. The parties will take the depositions of expert witnesses.
- 16 4. The parties will take the depositions of any and all other witnesses garnered through
17 discovery.
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19 This request for an extension of time is not sought for any improper purpose or other
20 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient
21 time to conduct discovery.
22

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

24 The parties have been compiling documents and investigating the instant action. The
25 parties are actively engaged in discovery and will proceed with necessary case depositions.

26 Counsel for Plaintiff has been actively litigating a capital murder case, *State of Nevada v.*
27 *Bryan Clay*, C-12-281930-1, which recently concluded. Additionally, counsel for Plaintiff has
28

1 been occupied in dealing with new developments affecting this case, including continued medical
2 treatment of Plaintiff.

3 Extension or Modification of the Discovery Plan and Scheduling Order. LR 26-4 governs
4 modifications or extension of this discovery plan and scheduling order. Any stipulation or motion
5 must be made not later than twenty-one (21) days before the expiration of the subject deadline
6 and comply fully with LR 26-4.
7

8 The following is a list of the current discovery deadlines and the parties' proposed
9 extended deadlines:

| 11 SCHEDULED EVENT | CURRENT DEADLINE | PROPOSED DEADLINE |
|--|-------------------|----------------------------|
| 12 Close of Discovery | April 19, 2018 | Wednesday, July 18, 2018 |
| 13 Amendment to Pleadings | January 19, 2018 | Thursday, April 19, 2018 |
| 14 Plaintiff's Expert Disclosure | January 19, 2018 | Thursday, April 19, 2018 |
| 15 Defendant's Expert Disclosure | February 18, 2018 | Monday, May 21, 2018 |
| 16 Plaintiff's Rebuttal Expert Report(s) | March 20, 2018 | Wednesday, June 20, 2018 |
| 17 Interim Status Report | February 18, 2018 | Monday, May 21, 2018 |
| 18 Dispositive Motions | May 19, 2018 | Friday, August 17, 2018 |
| 19 Joint Pretrial Order ¹ | June 18, 2018 | Monday, September 17, 2018 |

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23 This Request for an extension of time is not sought for any improper purpose or other
24 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient
25 time to conduct discovery in this case and adequately prepare their respective cases for trial.

26 This is the First Request for an extension of time in this matter. The parties respectfully
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28 ¹ However, if dispositive motions are filed, the proposed joint pretrial order will be due thirty days after the rulings on such dispositive motions.

1 submit that the reasons set forth above constitute compelling reasons and good cause for the short
2 extension.

3 WHEREFORE, the parties respectfully request that this Court extend the discovery period
4 by ninety (90) days from the current deadline of April 19, 2018, up to and including July 18,
5 2018, and the other discovery dates as outlined in accordance with the table above.

6 DATED this 4th day of January, 2018.

DATED this 4th day of January, 2018.

7 SGRO & ROGER

UNITED STATES OF AMERICA

8 /s/ Eunice M. Beattie, Esq.

/s/ Patrick A. Rose, Esq.

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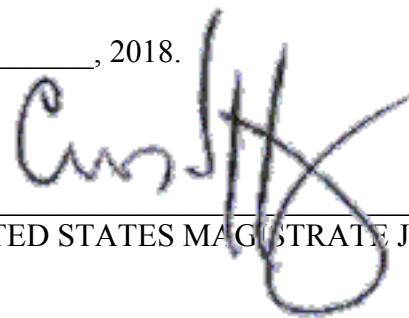
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ORDER

15 IT IS SO ORDERED.

16 Dated this January 5th, 2018.

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20 UNITED STATES MAGISTRATE JUDGE



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