

1 ANTHONY P. SGRO, ESQ.
Nevada Bar No. 3811
2 EUNICE M. BEATTIE, ESQ.
Nevada Bar No. 10382
3 SGRO & ROGER
4 720 South Seventh Street, 3rd Floor
Las Vegas, Nevada 89101
5 Telephone: (702) 384-9800
Facsimile: (702) 665-4120
6 tsgro@sgroandroger.com
7 ebeatie@sgroandroger.com
Attorneys for Plaintiff

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 KAYSEE NITTA,
12
13 Plaintiff,
14 vs.
15 UNITED STATES OF AMERICA,
16 Defendants.

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

17
18
19
20
21
22
23
24 **STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES
(SECOND REQUEST)**

18 Pursuant to LR 6-1 and LR 26-4, Plaintiff requests, and Defendant does not oppose, and
19 hereby stipulate that this Court extend discovery in the above-captioned case sixty (60) days,
20 pursuant to Plaintiff's request, which would extend discovery up to and including Monday,
21 September 17, 2018. In addition, the parties stipulate that the dispositive motions and pretrial
22 order deadlines be extended for an additional sixty (60) days as outlined herein, in support of
23 Plaintiff's request. In support of this Stipulation and Request, the parties state as follows:

- 25 1. On April 24, 2017, Plaintiff filed her Complaint in United States District Court, District
26 of Nevada.
27 2. On June 23, 2017, Defendant filed its Answer.
28

- 1 3. On August 28, 2017, the parties submitted a proposed scheduling order to the Court.
- 2 4. On September 20, 2017, Plaintiff received Defendant's 26.1 list of witnesses and
- 3 documents.
- 4 5. On September 21, 2017, Plaintiff served her 26.1 list of witnesses and documents.
- 5 6. On November 6, 2017, Plaintiff propounded written discovery on Defendant.
- 6 7. On December 21, 2017, Defendant served its responses to Plaintiff.
- 7 8. On January 2, 2018, Plaintiff noticed the depositions of two lay witnesses, Ana Smith, and
- 8 Natalie Weckesser.
- 9 9. On January 3, 2018, Defendant propounded written discovery on Defendant.

10 Since this time, more written discovery has been conducted, medical records have been
11 requested, more depositions have been taken (including Plaintiff's deposition), and more
12 depositions have been noticed or are anticipated to occur in the near future.
13
14

15 **DISCOVERY REMAINING**

- 16 1. Plaintiff will take the deposition of Defendant.
- 17 2. The parties will take the depositions of Plaintiff's medical providers once Defendant is
- 18 able to obtain the medical records.
- 19 3. The parties will take the depositions of expert witnesses.
- 20 4. The parties will take the depositions of any and all other witnesses garnered through
- 21 discovery.
- 22

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.
26
27
28

1 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

2 The parties have been compiling documents and investigating the instant action. There
3 have been some issues with obtaining medical records due to various providers' requirements for
4 specific releases to be signed before releasing records. The parties are actively engaged in
5 discovery and will proceed with necessary case depositions.

6 Counsel for Plaintiff has been occupied in dealing with new developments affecting this
7 case, including continued medical treatment of Plaintiff. Counsel for Plaintiff has been working
8 with Defendant's counsel to obtain the appropriate medical releases so that Defendant has access
9 to Plaintiff's medical records.

10 This request for an extension is being made at the request of Plaintiff and Defendant does
11 not object to the request. As such, the parties are stipulating to a sixty (60) day extension of all
12 discovery deadlines.

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

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

19
20
21

SCHEDULED EVENT	PROPOSED DEADLINE	CURRENT DEADLINE
Close of Discovery	Monday, September 17, 2018	Wednesday, July 18, 2018
Amendment to Pleadings	Tuesday, June 19, 2018	Thursday, April 19, 2018
Plaintiff's Expert Disclosure	Tuesday, June 19, 2018	Thursday, April 19, 2018
Defendant's Expert Disclosure	Thursday, July 19, 2018	Monday, May 21, 2018
Plaintiff's Rebuttal Expert Report(s)	Monday, August 20, 2018	Wednesday, June 20, 2018

22
23
24
25
26
27
28

1	Interim Status Report	Thursday, July 19, 2018	Monday, May 21, 2018
2	Dispositive Motions	Wednesday, October 17, 2018	Friday, August 17, 2018
3	Joint Pretrial Order ¹	Friday, November 16, 2018	Monday, September 17, 2018

5
6 This Request for an extension of time is not sought for any improper purpose or other
7 purpose of delay. Rather, it is sought by Plaintiff solely for the purpose of allowing sufficient
8 time to conduct discovery in this case and adequately prepare their respective cases for trial.
9 Defendant has no objection to Plaintiff's request.

10 This is the Second Request for an extension of time in this matter. The parties respectfully
11 submit that the reasons set forth above constitute compelling reasons and good cause for the short
12 extension.

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27
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 WHEREFORE, Plaintiff requests, and Defendant does not oppose, that this Court extend
2 the discovery period by sixty (60) days from the current deadline of July 18, 2018, up through and
3 including Monday, September 17, 2018, and the other discovery dates as outlined in accordance
4 with the table above.

5 DATED this 6th day of April, 2018.

DATED this 6th day of April, 2018.

6 SGRO & ROGER

UNITED STATES OF AMERICA

7
8 /s/ Eunice M. Beattie, Esq.

/s/ Patrick A. Rose, Esq.

9 ANTHONY P. SGRO, ESQ.
10 Nevada State Bar No. 3811
11 EUNICE M. BEATTIE, ESQ.
12 Nevada State Bar No. 10382
13 720 S. Seventh Street, 3rd Floor
14 Las Vegas, NV 89101
15 *Attorneys for Plaintiff*

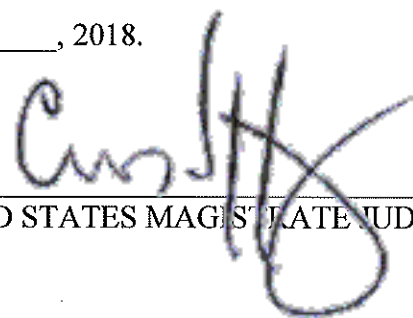
PATRICK A. ROSE, ESQ.
Nevada State Bar No. 5109
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Attorneys for Defendant

16 **ORDER**

17 IT IS SO ORDERED.

18 Dated this ___ April 9

_____, 2018.



20 UNITED STATES MAGISTRATE JUDGE