

1 JOHN B. SHOOK, ESQ.
 Nevada Bar No. 5499
 2 SHOOK & STONE, CHTD.
 710 South 4th Street
 3 Las Vegas, NV 89101
 4 Office: (702) 385-2220
 Attorney for Plaintiffs
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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 THOMAS ANGELO, an Individual; and
 9 KAREN ANGELO, an Individual,

Case No.: 2:17-CV-01246-APG-GWF

10 Plaintiff,

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINES**

11 vs.

(Second Request)

12 ALBERTSON'S LLC., d/b/a ALBERTSON'S,
 13 a Foreign Limited-Liability Company; and
 14 DOES I through X, inclusive; and ROE
 BUSINESS ENTITIES I through X, inclusive,

15 Defendants.
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17
 18 IT IS HEREBY STIPULATED AND AGREED, by Plaintiffs and Defendants, by and
 19 through their undersigned counsel, that discovery be extended beyond the Discovery Schedule in
 20 the Stipulation and Order to Extend Discovery dated October 18, 2017 (Document No. 14).

21 Per Federal Rules of Civil Procedure 16(b), and Local Rule 26-4 the following is included in
 22 support of the proposed extension to the Discovery Schedule:

23 **A. STATEMENT SPECIFYING THE DISCOVERY THAT HAS BEEN COMPLETED.**

24 The parties participated in the Fed. R. Civ. P. 26(f) conference on June 22, 2017. The parties
 25 have propounded and responded to written discovery requests including Interrogatories, Request for
 26 Production of Documents and Requests for Admission. The depositions of Plaintiff, Thomas
 27 Angelo and Karen Angelo were completed on October 30, 2017. The deposition of Defendant's
 28 employee, Kenneth Luoto was completed on June 3, 2018 and the deposition of Defendant's store

1 manager, Mignon Pasqualicchio was completed on January 19, 2018. Plaintiffs currently have the
2 depositions of additional Defendant's employees scheduled for March 27, 2018 and March 28,
3 2018. The parties disclosed expert reports on February 21, 2018 and the parties disclosed rebuttal
4 expert reports on March 22, 2018.

5 **B. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
6 **COMPLETED.**

7 As set forth above, the parties agree that an extension in the discovery deadlines is necessary
8 to ensure this case is prepared for trial. The Plaintiffs will need additional time to depose the FRCP
9 30(b)(6) Corporative Representative of Defendant Albertson's in addition to the expert witnesses
10 Defendants have disclosed.

11 Defendants will also need to conduct the depositions of Plaintiff's treating physicians and
12 the expert witnesses Plaintiffs' have disclosed.

13 **C. REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**
14 **WITHIN THE DEADLINES CONTAINED IN THE AMENDED DISCOVERY**
15 **SCHEDULING ORDER**

16 Despite the parties' good faith efforts to comply with the Court's discovery deadlines, both
17 parties have been compromised in part by the numerous experts that will need to be deposed and
18 the extent of Plaintiff's treating physicians. As such, the parties believe that a ninety (90) extension
19 of the discovery cut off date will be sufficient to allow the parties to complete discovery.

20 **D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

21 It is requested that all remaining discovery deadlines in this case be continued as follows:

- 22 1. **Discovery Cut-Off Date:** The last day to conduct discovery shall be **July 19, 2018**
- 23 2. **Dispositive Motions:** The date for filing dispositive motions shall extended for
24 thirty days until **August 20, 2018**, 30 days after the proposed amended discovery cut-off date. In
25 the event that the discovery period is again extended from the discovery cut-off date set forth in this
26 proposed Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be
27 extended to be not later than 30 days from the subsequent discovery cut-off date.
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