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5 **UNITED STATES DISTRICT COURT**
 6 **DISTRICT OF NEVADA**

7 RAYMOND GARCIA., *et al*,
 8 Plaintiffs,
 vs.
 9 SERVICE EMPLOYEES
 10 INTERNATIONAL UNION, *et al*,
 11 Defendants.

CASE NO. 2:17-cv-01340-APG-NJK

**[1] STIPULATION AND MOTION TO
 EXTEND DISCOVERY DEADLINES;
 (First Request)**

[2] ORDER THEREON

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 14 CHERIE MANCINI, *et al.*,
 Plaintiffs,
 15 vs.
 16 SERVICE EMPLOYEES
 17 INTERNATIONAL UNION, *et al.*,
 18 Defendants.

CASE NO. 2:17-cv-02137-APG-NJK

19
 20 The parties, by and through their undersigned counsel, hereby stipulate as follows and
 21 request this Court to extend discovery deadlines pursuant to Local Rule 26-4.

22 Dated the 23rd day of January, 2018.

23 /s/ Michael J. Mcavoyamaya

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 27 *Attorney for Plaintiffs*

1 All parties, through their undersigned counsel, hereby stipulate as follows:

2 **I. STATEMENT OF DISCOVERY COMPLETED**

3 Discovery began in this matter on July 31, 2017. The parties have completed the
4 following discovery to date:

- 5 1. Plaintiffs served Initial Disclosures and Supplemental Disclosures in the *Garcia*
6 and *Mancini* actions;
- 7 2. Defendants served Initial Disclosures and Supplemental Disclosures in the *Garcia*
8 and *Mancini* actions;
- 9 3. Defendants served their First Set of Requests for Production of Documents in the
10 *Garcia* and *Mancini* actions;
- 11 4. Defendants served their First Set of Interrogatories in the *Garcia* action;
- 12 5. Plaintiffs served their Responses to Defendants' First Set of Requests for
13 Production of Documents in the *Garcia* action;
- 14 6. Plaintiffs served their Responses to Defendants' First Set of Interrogatories in the
15 *Garcia* action;
- 16 7. Defendants have completed three depositions in the *Garcia* action;
- 17 8. Plaintiffs served their First Set of Requests for Production of Documents on
18 Defendants in the consolidated action; and
- 19 9. Defendants served their Responses to Plaintiffs First Set of Requests for
20 Production of Documents in the consolidated action.

21 **II. STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

22 The following discovery remains to be completed:

- 23 1. Plaintiffs intend to respond to Defendants' First Set of Requests for Production of
24 Documents in the *Mancini* action by the due date;
- 25 2. Defendants intend to take several depositions in the *Mancini* action;
- 26 3. Plaintiffs intend to take several depositions in both the *Garcia* and *Mancini* action;
- 27 and
- 28 4. Plaintiffs intend to serve additional written discovery.

1 **III. REASONS WHY DISCOVERY WILL NOT BE COMPLETED BY CURRENT**
2 **DISCOVERY CUTOFF**

3 The parties believe that they cannot complete discovery by the current discovery cutoff of
4 February 20, 2018, for the following reasons:

- 5 1. On or about October 24, 2017, Plaintiffs served their First Set of Requests for
6 Production of Documents. Because of the large volume of records encompassed
7 by the requests, Defendants asked, and Plaintiffs agreed, to extend the response
8 deadline until January 16, 2018.
- 9 2. Defendants completed their initial review of responsive documents and served
10 their Response to Plaintiffs' First Set of Requests for Production of Documents on
11 January 16, 2018, along with a privilege log related to documents withheld on the
12 basis of attorney-client privilege.
- 13 3. In the same response, Defendants informed Plaintiffs that they were withholding
14 certain documents alleged to be protected from disclosure by Federal Rule of Civil
15 Procedure 26(c), and that they would request a corresponding protective order.
- 16 4. Last, Defendants informed Plaintiffs that, as a result of volume of e-mail
17 communications potentially encompassed by Plaintiffs' First Set of Requests for
18 Production of Documents, Defendants have not completed their review of
19 potentially responsive email communications. At present, Defendants estimate
20 that it will take an additional four to six weeks to complete their review of such e-
21 mail communications.
- 22 5. On January 16 and 17, 2018, Plaintiffs informed Defendants that they intend to
23 move to compel documents identified on Defendants' privilege log, and that they
24 will oppose Defendants' request for a protective order.
- 25 6. For the foregoing reasons, the parties cannot complete discovery by the current
26 discovery cutoff of February 20, 2018. Until the parties resolve their disputes over
27 documents withheld by Defendants on the basis of attorney-client privilege and the
28 necessity of a protective order, and until Defendants complete their review of

1 potentially responsive e-mail communications and finish their production of
2 documents to Plaintiffs, Plaintiffs cannot review those documents and prepare
3 additional discovery requests, notice depositions in this matter, and otherwise
4 reasonably prepare this case for trial. Because the discovery cutoff deadline is fast
5 approaching, and the discovery disputes between the parties have yet to be briefed
6 and heard by this Court, an extension of all discovery deadlines in this matter is
7 supported by good cause.

8 7. Moreover, currently pending before the Court is Plaintiffs' motion for leave to file
9 a second amended complaint (ECF No. 92), which Defendants have opposed.

10 Resolution of that motion will potentially require additional discovery in this case.

11 8. This is the first request for an extension of discovery deadlines in this case.

12 **IV. PROPOSED SCHEDULE FOR COMPLETING REMAINIGN DISCOVERY**

13 The parties submit the following proposed discovery schedule:

14 **CURRENT DISCOVERY SCHEDULE**

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|----|-----------------------------------|-------------------------------|
| 15 | 1. Amend pleadings/add parties: | November 22, 2017 (completed) |
| 16 | 2. Initial Experts: | December 22, 2017 (completed) |
| 17 | 3. Rebuttal Expert Disclosures: | January 20, 2018 |
| 18 | 4. Discovery Cutoff: | February 20, 2018 |
| 19 | 5. Dispositive Motions: | March 21, 2018 |
| 20 | 6. Joint Proposed Pretrial Order: | April 20, 2018 |

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PROPOSED DISCOVERY SCHEDULE

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|---|-----------------------------------|-------------------------------|
| 1 | | |
| 2 | 1. Amend pleadings/add parties: | November 22, 2017 (completed) |
| 3 | 2. Initial Experts: | December 22, 2017 (completed) |
| 4 | 3. Rebuttal Expert Disclosures: | January 20, 2018 (COMPLETED) |
| 5 | 4. Discovery Cutoff: | June 21, 2018 |
| 6 | 5. Dispositive Motions: | July 23, 2018 |
| 7 | 6. Joint Proposed Pretrial Order: | August 23, 2018 |

8 Dated: January 23, 2018 By /s/ Glenn Rothner, Esq.
9 Glenn Rothner, for Defendants
in both captioned cases

10 Dated: January 23, 2018 By /s/ Michael Mcavoyamaya, Esq.
11 Michael Mcavoyamaya, for Plaintiffs
12 in both captioned cases

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15 IT IS SO ORDERED:

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United States Magistrate Judge

19 DATED: January 24, 2018