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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 Case No.: 2:17-cv-01372-RFB-PAL

14 DONNA LINARDO,

15 Plaintiff,

16 v.

17 WAL-MART STORES, INC., READDY ICE
 18 CORPORATION; DOES I -X, inclusive; and
 19 ROE CORPORATIONS I - X, inclusive,

20 Defendants.

21 **STIPULATION AND [PROPOSED]**
 22 **ORDER FOR LEAVE TO CONDUCT**
 23 **CERTAIN DISCOVERY OUTSIDE THE**
 24 **DISCOVERY PERIOD]**

25 Plaintiff DONNA LINARDO (hereinafter "Plaintiff") and Defendant WAL-MART STORES,
 26 INC. (hereinafter "Defendant"), by and through their respective counsel of record, do hereby stipulate
 27 to conduct certain discovery outside the discovery period. Specifically, the parties stipulate that
 28 **Defendant shall take the deposition of Plaintiff's treating physician, Dr. Babuk Ghuman on**
January 17, 2018 at 1 p.m..

DISCOVERY COMPLETED TO DATE

Walmart removed the case to this Court on May 15, 2017. Here, the parties have completed
 the following discovery:

- The parties have conducted an FRCP 26(f) conference.
- The parties have served and exchanged their respective FRCP 26(a) initial disclosures and supplements.
- The parties filed a stipulated discovery plan and scheduling order, which the Court approved

1 and entered on June 22, 2017 (See ECF No. 11).

- 2 • Plaintiff has served additional written discovery requests to Walmart, including Plaintiff's
3 Third and Fourth Sets of Requests for Production; and Second Set of Interrogatories. Walmart
4 timely served its responses and objections to the same.
- 5 • Plaintiff has taken depositions of fact witnesses, including former Walmart employees
6 Kirstopher Leonard and Denise DeLeon, and current Walmart employee Devynn Whitlock.
- 7 • Depositions of Plaintiff's experts Dr. Yee, Dr. Kuruvilla, Dr. Nelson, and Dr. Litt.
- 8 • Depositions of Plaintiff's treating provider Dr. Trainor
- 9 • Each party has made their respective expert disclosures.
- 10 • Defendant has obtained executed authorizations from Plaintiff and has commenced the process
11 of subpoenaing and receiving records from Plaintiff's providers.

12 **DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD**

13 Discovery to be completed includes:

- 14 • Defendant's deposition of Plaintiff's treating physician, Dr. Babuk Ghuman;

15 The parties aver that good cause exists for the request pursuant to Local Rule 2.25. Defendant
16 timely sought deposition dates for Plaintiff's treating physician, Dr. Babuk Ghuman, but due to his busy
17 schedule, said deposition could not be scheduled within the discovery period. As such, the parties have
18 cordially agreed to aforementioned date and times upon which deposition practice shall be conducted.

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1 The parties aver that this request is made by the parties in good faith and not for the purpose of
2 delay.

3 DATED this 7th day of December, 2017.

DATED this 7th day of December, 2017.

4 /s/ Doug Cohen

/s/ Betsy C. Jefferis

5 _____
6 DOUG COHEN, ESQ.
7 Nevada Bar No. 1214
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10 *Attorneys for Plaintiff*
11 *Donna Linardo*

Attorneys for Defendant
Wal-Mart Store, Inc.

12
13 **IT IS SO ORDERED:**

14 
15 _____
16 **UNITED STATES MAGISTRATE JUDGE**

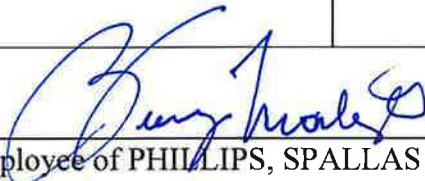
17 **DATED:** December 18, 2017

CERTIFICATE OF SERVICE

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 7th day of December, 2017, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER FOR LEAVE TO CONDUCT CERTAIN DISCOVERY OUTSIDE THE DISCOVERY PERIOD** as follows:

- By facsimile addressed to the following counsel of record, at the address listed below;
- By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- By Hand Delivery (ROC); and/or
- By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
DOUGLAS M. COHEN, ESQ. Nevada Bar No. 1214 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 3556 E. Russell Rd., 2nd Floor Las Vegas, NV 89120	Phone (702) 341-5200 Fax (702) 341-5300	Plaintiff



 An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC