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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

<p>15 David Lucero,</p> <p>16 Plaintiff,</p> <p>17 v.</p> <p>18 Smith-Palluck Associates Corp.</p> <p>19 d/b/a Las Vegas Athletic Clubs,</p> <p>20 Defendant.</p>	<p>Case No. 2:17-cv-01399-JAD-CWH</p> <p>JOINT STIPULATION AND ORDER TO EXTEND DISCOVERY</p>
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24 Plaintiff David Lucero (“Plaintiff”) and Defendant Smith-Palluck Associates
25 Corp. d/b/a Las Vegas Athletic Clubs (“Defendant”) (jointly as “the Parties”), by and
26 through their counsel of record, do hereby stipulate to modify the Court’s Order, ECF
27 No. 11, to extend (1) the last date to complete discovery from January 5, 2018, to
28 March 6, 2018; (2) the last date to file dispositive motions from February 5, 2018, to

1 April 6, 2018; and (3) the last date to file the proposed joint pretrial order from March
2 7, 2018, to May 7, 2018.

3 Pursuant to LR 26-4, good cause exists to amend the Scheduling Order. The
4 Parties have diligently pursued discovery. Plaintiffs have propounded written
5 discovery requests and have noticed Defendant's deposition. The Parties are now re-
6 scheduling Plaintiffs' deposition of Defendant. This request for extension of
7 deadlines is made specifically in this fee-shifting matter since the taking of
8 depositions are a significant expense. The Parties have run into limitations based on
9 the availability of Defendant's person most knowledgeable.

10 Further good cause exists to amend the Scheduling Order to provide additional
11 time to complete settlement discussions.

12 Pursuant to LR 26-4(a), Plaintiffs have propounded written discovery requests
13 upon Defendant and have noticed the deposition of Defendant. Defendant served
14 Plaintiffs with objections to Plaintiffs' written discovery requests.

15 Pursuant to LR 26-4(b), the Parties request additional time to conduct Plaintiffs'
16 deposition of Defendant and to confer regarding certain discovery matters.

17 Pursuant to LR 26-4(c), this request for extension of deadlines is made
18 specifically in this fee-shifting matter since the taking of a deposition is a significant
19 expense. The Parties have run into limitations based on the availability of
20 Defendant's person(s) most knowledgeable.

21 Pursuant to LR 26-4(d), the Parties propose the following discovery schedule:
22 (1) the last date to complete discovery shall be March 6, 2018; (2) the last date to file
23 dispositive motions shall be April 6, 2018; and (3) the last date to file the proposed
24 joint pretrial order shall be May 7, 2018.

25 For the foregoing reasons, the Parties jointly request that this Court modify its
26 September 18, 2017 Order to provide an additional 60 days to complete discovery,
27 and the in the ordinary course file dispositive motions, and the proposed joint pretrial
28 order as described in the proposed timeline above.

1 This is the Parties' first request for an extension of these deadlines.
2 DATED this 30th day of November 2017.

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ORDER

IT IS HEREBY ORDERED that the Order, ECF No 11, is modified to extend the discovery deadlines as follows: (1) the last date to complete discovery shall be March 6, 2018; (2) the last date to file dispositive motions shall be April 6, 2018; and (3) the last date to file the proposed joint pretrial order shall be May 7, 2018.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Dated: 12/1/17

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY pursuant to Rule 5 of the Federal Rules of Civil
3 Procedure that on November 30, 2017, the foregoing JOINT STIPULATION AND
4 ORDER TO EXTEND DISCOVERY was filed and served by CM/ECF to all parties
5 appearing in this case.

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