

1 David H. Krieger, Esq.  
 Nevada Bar No. 9086  
 HAINES & KRIEGER, LLC  
 2 8985 S. Eastern Ave., Suite 350  
 Henderson, NV 89123  
 3 Phone: (702) 880-5554  
 FAX: (702) 385-5518  
 4 Email: dkrieger@hainesandkrieger.com

5 Matthew I. Knepper, Esq.  
 Nevada Bar No. 12796  
 Miles N. Clark, Esq.  
 Nevada Bar No. 13848  
 KNEPPER & CLARK LLC  
 8 10040 W. Cheyenne Ave., Suite 170-109  
 Las Vegas, NV 89129  
 9 Phone: (702) 825-6060  
 10 FAX: (702) 447-8048  
 Email: matthew.knepper@knepperclark.com  
 11 Email: miles.clark@knepperclark.com

12 Attorneys for Plaintiff

13 **UNITED STATES DISTRICT COURT**  
 14 **DISTRICT OF NEVADA**

DOREEN FARMER, and all similarly situated individuals,	:	
	:	
Plaintiffs,	:	Civil Action No.: 2:17-cv-01531-RFB-PAL
	:	
v.	:	<b>STIPULATION AND ORDER TO</b>
	:	<b>EXTEND DISCOVERY DEADLINES</b>
EXPERIAN INFORMATION SOLUTIONS, INC.,	:	<b>[First Request]</b>
	:	
Defendant.	:	

22 Pursuant to LR 6-1 and LR 26-4, Plaintiff Doreen Farmer (“Plaintiff”) and Defendant  
 23 Experian Information Solutions, Inc. (“Experian”), by and through their respective counsel of  
 24 record, hereby stipulate and request that this Court extend all case deadlines except the leave-to-  
 25 amend deadline by approximately ninety (90) days. In support of this Stipulation and Request, the  
 26 parties state as follows:

27 **I. CASE HISTORY AND DISCOVERY COMPLETED TO DATE**

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1 Presently, the active parties to this case are Plaintiff and Experian, and as such, the  
2 recitation of discovery shall be with respect to Plaintiff and Experian.

- 3 1. Plaintiff filed the instant complaint on May 31, 2017.
- 4 2. On June 28, 2017, Experian filed its answer.
- 5 3. On July 26, 2017, Experian propounded its deposition notice on Plaintiff, setting  
6 Plaintiff's deposition for October 9, 2017.
- 7 4. On July 31, 2017, the parties submitted their competing plans for discovery.
- 8 5. On August 7, 2017, the Court granted the parties' stipulated protective order.
- 9 6. On August 9, 2017, Experian provided its initial disclosures.
- 10 7. On August 15, 2017, Plaintiff provided her initial disclosures.
- 11 8. On August 18, 2017, Plaintiff provided her first supplemental disclosures.
- 12 9. On August 31, 2017, the Court issued its scheduling order, permitting discovery on  
13 both the individual and class components of Plaintiff's case to proceed simultaneously.
- 14 10. On September 21, 2017, Experian propounded its first set of Requests for  
15 Production of Documents on Plaintiff.
- 16 11. On September 26, 2017, Plaintiff propounded her first set of Requests for  
17 Admission, Production, and Interrogatories on Experian, setting Experian's deposition for  
18 November 17, 2017.
- 19 12. On September 26, 2017, Plaintiff propounded her first deposition notice to  
20 Experian.
- 21 13. On October 11, 2017, Plaintiff propounded her first amended deposition notice to  
22 Experian, setting Experian's deposition for November 20, 2017.
- 23 14. On October 20, 2017, Plaintiff provided her responses to Experian's first set of  
24 Requests for Production of Documents.
- 25 15. On October 20, 2017, Experian propounded its first amended notice of deposition  
26 on Plaintiff, setting Plaintiff's deposition for November 14, 2017.
- 27 16. On October 20, 2017, Plaintiff propounded her second amended deposition notice  
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1 to Experian, setting Experian's deposition for December 1, 2017.

2 17. On November 3, 2017, Experian provided its responses to Plaintiff's first set of  
3 Requests for Admissions, Production, and Interrogatories.

4 18. On November 7, 2017, Plaintiff sent Experian a Rule 26-7 letter regarding  
5 Experian's discovery responses.

6 19. On November 13, 2017, Plaintiff and Experian conducted a partial meet-and-confer  
7 regarding Plaintiff's Rule 26-7 letter. A follow-up conference has been tentatively scheduled for  
8 December 4, 2017.

9 20. On November 28, 2017, Plaintiff propounded her third amended deposition notice  
10 on Experian, setting Experian's deposition tentatively for December 21, 2017.

11 21. The parties continue to engage in the discovery process, in good faith and in the  
12 spirit of cooperation. However, the parties do not believe discovery can be completed under the  
13 current case management schedule given the scope and breadth of issues that remain to be  
14 addressed in discovery.

15 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

16 1. Experian's supplementation of its responses to Plaintiff's First Set of Requests for  
17 Admission, Production, and Interrogatories, for which the parties have tentatively agreed to meet  
18 and confer on December 4, 2017;

19 2. The additional written discovery to Experian;

20 3. Depositions of third parties, as appropriate;

21 4. Depositions of Plaintiff's expert and Experian's rebuttal expert, if necessary;

22 5. Any additional necessary written discovery.

23 **III. REASONS WHY THE REMAINING DISCOVERY WAS NOT COMPLETED**

24 The parties can demonstrate good cause for the extension. This class case involves  
25 calculation of large amounts of data from Experian's internal records. The parties discussed the  
26 feasibility of producing this information extensively at their November 13, 2017 meet-and-confer,  
27 for which Plaintiff has requested that Experian provide a targeted response deadline no later than  
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1 December 1, 2017, subject to further investigation by Experian regarding the availability of such  
2 information and discovery. Resolving these issues and completing this discovery in advance of  
3 Experian’s 30(b)(6) deposition will better ensure that the parties are able to make the most  
4 productive use of time at the deposition, which will in turn mitigate against the prospect of holding  
5 the deposition open or seeking court intervention at a later date on discovery disputes. The  
6 deposition has tentatively been set for December 21, 2017. However, Experian is informed and  
7 believes that deposition will need to be rescheduled in early 2018, as the information Plaintiff is  
8 seeking from Experian likely will not be processed, reviewed and produced prior to December 21,  
9 2017.

10 Additionally, because Experian’s written discovery production is incomplete and will  
11 likely not be completed prior to the time expert designations are due, an extension of discovery  
12 will ensure that any expert designated will be able to review a broader range of discovery.  
13 Completion of written discovery is necessary in order to provide all discovery material to any  
14 expert Plaintiff may seek to retain. Without an extension of deadlines, the parties will be obligated  
15 to disclose expert reports against the present deadline which will invariably be supplemented as  
16 written discovery continues. Without an extension of expert deadlines, anticipated experts may be  
17 required to supplement their expert reports at a later date, perhaps after any depositions takes place  
18 – which may in turn require a re-deposition, adding to the burdens and expenses of litigation.

19 The proposed approximate 90-day extension of discovery deadlines permits Experian time  
20 to supplement Plaintiff’s pending written discovery, as well as provide sufficient time for any  
21 anticipated experts to consider all relevant written discovery and be able to formulate an opinion  
22 in this case.

23 For all of these reasons, the parties request that the Court grant this request for an extension  
24 of time.

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1 **IV. PROPOSED DISCOVERY DEADLINES**

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<u>Event</u>	<u>Current Deadline</u>	<u>Proposed New Deadline</u>
Close of Discovery	February 26, 2018	May 28, 2018
Amend Pleadings	November 27, 2017	Same
Disclose Initial Experts	December 27, 2017	March 26, 2018
File Interim Status Report	December 27, 2017	March 26, 2018
Disclose Rebuttal Experts	January 26, 2018	March 26, 2018
File Dispositive Motions	March 28, 2018	June 27, 2018
File Pre-Trial Order	April 27, 2018	July 26, 2018 (or 30 days after dispositive motions are decided)

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9 Dated: November 28, 2017

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<p>11 <u>/s/ Jennifer L. Braster</u> Jennifer L Braster, Esq. (NBN 9982) Andrew J Sharples, Esq (NBN 12866) NAYLOR &amp; BRASTER 1050 Indigo Drive, Suite 200 Las Vegas, NV 89145</p> <p>12 13</p> <p>14 Edward San Chang (<i>Pro Hac Vice</i>) John Andrew Vogt (<i>Pro Hac Vice</i>) JONES DAY 3161 Michelson Dr Ste 800 Irvine, CA 92612</p> <p>15 16</p> <p>17 <i>Attorneys for Experian Information Solutions, Inc.</i></p>	<p>18 <u>/s/ Miles N. Clark</u> Matthew I. Knepper, Esq. (NBN 12796) Miles N. Clark, Esq. (NBN 13848) KNEPPER &amp; CLARK LLC 10040 W. Cheyenne Ave., Suite 170-109 Las Vegas, NV 89129</p> <p>19 Sean N. Payne (NBN 13216) PAYNE LAW FIRM LLC 9550 S. Eastern Ave. Suite 253-A213 Las Vegas, NV 89123</p> <p>20 David H. Krieger, Esq. (NBN 9086) HAINES &amp; KRIEGER, LLC 8985 S. Eastern Ave., Suite 350 Henderson, NV 89123</p> <p><i>Attorneys for Plaintiff</i></p>
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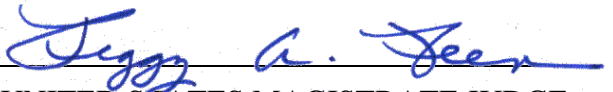
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22 **ORDER**

23 **IT IS SO ORDERED.**

24 **IT IS FURTHER ORDERED** that no further extensions will be allowed.

25 Dated: December 4, 2017

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27 UNITED STATES MAGISTRATE JUDGE