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7 *Attorneys for Defendant*  
 8 *Walmart Inc.*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 RUTH KOLAS,

12 Plaintiff,

13 v.

14 WAL-MART STORES INC.; DOES I-X,  
 inclusive, and ROE CORPORATIONS I-X,  
 15 inclusive,

16 Defendants.

Case No.: 2:17-cv-01597-APG-NJK

**STIPULATION AND ~~PROPOSED~~**  
**ORDER TO EXTEND DISCOVERY**  
**DEADLINES**

**[FIFTH REQUEST]**

18 Plaintiff RUTH KOLAS (“Plaintiff”) and Defendant WAL-MART STORES, INC. (“Walmart”),  
 19 by and through their respective counsel of record, do hereby stipulate to extend the discovery deadlines in  
 20 the present case for a period of 21 days Pursuant to Local Rule IA 6-1 and Local Rule 26-4.  
 21

22 Pursuant to Local Rule IA 6-1(a), the parties hereby aver that this is the fifth such discovery  
 23 extension requested in this matter.

24 **DISCOVERY COMPLETED TO DATE**

- 25 • The parties have conducted an FRCP 26(f) conference and have served their respective
- 26 FRCP 26(a) disclosures;
- 27 • Walmart has served written discovery to Plaintiff, and Plaintiff has served responses;
- 28 • Plaintiff has served written discovery to Walmart, and Walmart has served responses;

- 1 • Walmart has deposed Plaintiff;
- 2 • Walmart has deposed Plaintiff's fact witness, Samantha Kirk;
- 3 • Plaintiff has deposed Walmart employee, Paulina Villa;
- 4 • Plaintiff has deposed Walmart employee, Luis Eduardo Perez;
- 5 • Plaintiff has deposed Walmart's Rule 30(b)(6) witnesses;
- 6 • Plaintiff has conducted a Rule 34 inspection of the premises;
- 7 • Plaintiff has deposed former Walmart employee, Rene Clemente;
- 8 • Walmart conducted a Rule 35 examination of Plaintiff;
- 9 • The parties have served expert disclosures.

11 **DISCOVERY TO BE COMPLETED AND**  
12 **REASONS FOR EXTENSION OF DISCOVERY**

13 Discovery to be completed includes:

- 14 • Deposition of Plaintiff's retained liability expert, Thomas Jennings (July 6, 2018);
- 15 • Deposition of Plaintiff's retained/treating medical expert, Dr. Hans Jorg Rosler (August
- 16 23, 2018).

17 The parties aver, pursuant to Local Rule 26-4, that good cause exists for the requested extension.  
18 Walmart diligently and timely sought dates for depositions for Plaintiff's retained expert witnesses, Mr.  
19 Jennings and Dr. Rosler, however, these individuals were not able to provide dates within the current  
20 discovery period closing on July 2, 2018. The earliest date for Mr. Jennings is July 6, 2018, and the  
21 earliest date for Dr. Hans Jorg Rosler is August 23, 2018. The parties therefore stipulate to extend the  
22 discovery period to encompass Dr. Rosler's earliest availability for deposition.

23  
24 The parties have acted in good faith to request this extension and have no intent, nor reason, to  
25 delay the resolution of this matter.

26 **[PROPOSED] NEW DISCOVERY DEADLINES**

27 Discovery Cut-Off Date

28 Currently: July 2, 2018

1 Proposed: August 24, 2018

2 Dispositive Motion Deadline

3 Currently: August 8, 2018

4 Proposed: September 24, 2018

5 Joint Proposed Pre-Trial Order

6  
7 Currently: September 7, 2018, or 30 days after resolution of dispositive motions per  
8 Local Rule 26-1(e)(5).

9 Proposed: October 24, 2018 or 30 days after resolution of dispositive  
10 motions per Local Rule 26-1(e)(5)

11 If this extension is granted, all depositions mentioned above should be concluded within the  
12 stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is  
13 made by the parties in good faith and not for the purpose of delay.  
14

15 DATED this 21st day of June, 2018

DATED this 21st day of June, 2018.

16  
17 /s/ David Menocal

/s/ Ryan Kerbow

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21 *Attorneys for Plaintiff*  
22 *Ruth Kolas*

*Attorneys for Defendant*  
*Walmart Inc.*

23  
24 **IT IS SO ORDERED:**

25  
26   
**UNITED STATES MAGISTRATE JUDGE**

27 **DATED:** June 22, 2018  
28 \_\_\_\_\_