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SAO
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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA

LOUIS ROCK and DEBBY ROCK,
Individually and as Husband and Wife,

Plaintiffs,

vs.

NINYO & MOORE, GEOTECHNICAL
CONSULTANTS dba NINYO & MOORE
GEOTECHNICAL & ENVIRONMENTAL
SCIENCES CONSULTANTS, a Foreign
Corporation; ROADS SAFE TRAFFIC
SYSTEMS, INC., a Foreign Corporation; DOE
INDIVIDUALS 1 through 100; and ROE
CORPORATIONS 1 through 100, inclusive,

Defendants.

CASE NO. 2:17-cv-01676-APG-CWH

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(SECOND REQUEST)

...
...
...
...

1 IT IS HEREBY STIPULATED by and between Plaintiffs LOUIS AND DEBBY ROCK,
2 by and through their counsel of record, JOSEPH TROIANO, ESQ., of EGLET PRINCE,
3 Defendant ROADS SAFE TRAFFIC SYSTEMS, INC. by and through their counsel of record,
4 JASON C. FOULGER, ESQ., of CISNEROS & MARIAS, Defendant NINYO & MOORE,
5 GEOTECHNICAL DBA CONSULTANTS DBA NINYO & MOORE GEOTECHNICAL &
6 ENVIROMENTAL SCIENCES CONSULTANTS by and through their counsel of record,
7 MICHAEL R. HALL, ESQ., of HALL JAFFE & CLAYTON, LLP., that discovery in this matter
8 shall be extended for the limited purpose of completing the discovery described herein. Pursuant
9 to Local Rules (“LR”) 6-1, 6-2, 7-1, and 26-4, the parties offer the following in support of their
10 stipulation to extend discovery:
11
12

13 **I.**

14 **DISCOVERY COMPLETED TO DATE**

15 **Plaintiffs served Defendants with the following discovery to date:**

- 16 1. Plaintiffs’ Initial NRC P 16.1 disclosures and Four (4) Supplements thereto;
- 17 2. Plaintiffs’ Responses to Defendant’s Requests for Production, Requests for
18 Admissions and Interrogatories; and
- 19 3. Plaintiffs’ Requests for Production, Requests for Admissions and Interrogatories
20 to Defendants;
- 21 4. Plaintiffs’ Expert Disclosure and Supplemental NRC P 16.1 (a)(3) Pre-Trial
22 Disclosures and Two (2) Supplements thereto.

23 **Defendant Roadsafe Traffic Systems, Inc., served Plaintiffs with the following**
24 **discovery to date:**

- 25 1. Defendant’s Initial NRC P 16.1 disclosure;
- 26 2. Defendant’s Requests for Production of Documents, Interrogatories and Requests
27 for Admissions to Plaintiff; and
- 28 3. Defendant’s Answers to Plaintiff’s Requests for Production and Interrogatories to
Plaintiff.

1 **Defendant Ninyo & Moore, Geotechnical Consultants dba Ninyo & Moore**
2 **Geotechnical & Environment Sciences Consultants served Plaintiffs with the**
3 **following discovery to date:**

- 4 1. Defendant's Initial NRCP 16.1 disclosures and Three (3) Supplements thereto;
- 5 2. Defendant's Requests for Production of Documents, Interrogatories and Requests
6 for Admissions to Plaintiff; and
- 7 3. Defendant's Answers to Plaintiff's Requests for Production and Interrogatories to
8 Plaintiff.

9 **II.**

10 **DEPOSITIONS TAKEN TO DATE**

- 11 1. Deposition of Michael Thompson taken on October 30, 2017;
- 12 2. Deposition of Officer Shane R. Witham taken on November 21, 2017;
- 13 3. Deposition of Naik Banavathu taken on January 23, 2018.

14 **III.**

15 **DISCOVERY THAT REMAINS TO BE COMPLETED**

- 16 1. Deposition of Rathna Mothkuri *scheduled for February 5, 2018*;
- 17 2. Deposition of Defendant's NRCP 30(b)(6) witness(es);
- 18 3. Depositions of the parties respective experts;
- 19 4. Depositions of parties before and after witnesses; and

20 The Parties anticipate that they may need to conduct other forms of discovery, though not
21 specifically delineated herein, and anticipate doing so only on an as-needed basis.

22 **IV.**

23 **REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS AND**
24 **NEEDS TO BE EXTENDED**

25 Although the Parties have diligently been working on this matter there are still
26 depositions in this matter that need to be completed. Also, parties have agreed to mediate this
27 matter and we are working on scheduling the same. In addition, our expert, Patrick Altvater, had
28 an unexpected medical issue.

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V.

CURRENT DISCOVERY DEADLINES AND TRIAL DATE

Last day to amend pleadings or add parties: February 9, 2018;
Initial Expert Disclosure: February 9, 2018;
Rebuttal Expert Disclosures: March 12, 2018;
Discovery Cutoff: April 10, 2018;
Dispositive Motions: May 10, 2018; and
Trial: TBD.

VI.

PROPOSED DISCOVERY DEADLINES AND TRIAL DATE

Last day to amend pleadings or add parties: March 27, 2018;
Initial Expert Disclosure: March 27, 2018;
Rebuttal Expert Disclosures: April 26, 2018;
Discovery Cutoff: June 25, 2018;
Dispositive Motions: July 25, 2018; and
Trial: TBD.

DATED this 2nd day of February, 2018.

EGLET PRINCE

/s/ Joseph Troiano
ROBERT T. EGLET, ESQ.
Nevada Bar No. 3402
TRACY A. EGLET, ESQ.
Nevada Bar No. 6419
JOSEPH J. TROIANO, ESQ.
Nevada Bar No. 12505
Attorneys for Plaintiff

1 DATED this 2nd day of February, 2018.

2 **HALL JAFFE & CLAYTON, LLP.**

3
4 /s/ Michael Hall
5 **MICHAEL R. HALL, ESQ.**
6 Nevada Bar No. 5978
7 7425 Peak Drive
8 Las Vegas, NV 89128
9 *Attorney for Defendants*

10 DATED this 2nd day of February, 2018.

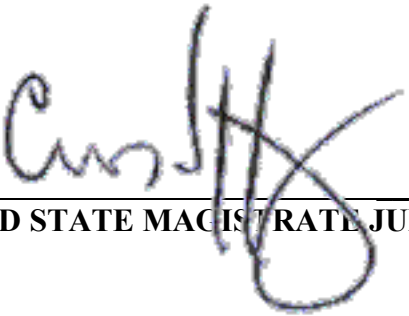
11 **CISNEROS & MARIAS**

12 /s/ Jason Foulger
13 **JASON C. FOULGER, ESQ.**
14 Nevada Bar No. 7338
15 1160 North Town Center Dr., Suite 130
16 Las Vegas, Nevada 89144
17 *Attorney for Defendants*

18 **ORDER**

19 **IT IS SO ORDERED**

20 DATED this February 6, 2018.



21 **UNITED STATE MAGISTRATE JUDGE**

22 **RESPECTFULLY SUBMITTED BY:**
23 **EGLET PRINCE**

24 /s/ Joseph Troiano
25 **ROBERT T. EGLET, ESQ.**
26 Nevada Bar No. 3402
27 **TRACY A EGLET, ESQ.**
28 Nevada Bar No. 6419
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