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 6 *Attorneys for Plaintiff Charles Moser*

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF NEVADA

10 CHARLES MOSER,

Case No. 2:17-cv-1704-APG-NJK

11 Plaintiff,

**STIPULATION AND ORDER
TO CONTINUE TRIAL
(FIRST REQUEST)**

12 v.

13 DEVIN BALLARD, an individual,
14 LAS VEGAS METROPOLITAN
POLICE DEPARTMENT,

15 Defendants.

17 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Charles Moser and
18 Defendants Devin Ballard and Las Vegas Metropolitan Police Department ("Defendants") by and
19 through their undersigned counsel to continue the Trial Date set in this case for September 26, 2022.

20 When the parties selected three (3) dates of availability for trial for inclusion in the Joint Pre-
21 Trial Order, Plaintiff's counsel made a mistake. Plaintiff's counsel misread his calendar and did not
22 realize that he would be out of town on a pre-planned matter and not returning until September 27,
23 2022.

1 Plaintiff's counsel, upon discovery of the mistake, contacted Defendants' counsel on August 2,
2 2022 immediately following the conclusion of an unsuccessful settlement conference in this matter, and
3 Defendant's' counsel has graciously agreed to a continuance. Counsel for the parties consulted with
4 their calendars and determined that they would both be available for trial October 24-27, 2022, or
5 November 14-18, 2022. Obviously, if later dates are necessary due to the Court's calendar, the parties
6 can provide such.

7 This is the first request for a continuance of the trial in this case.

8 Dated this ___ day of August 2022.

Dated this ___ day of August 2022.

9 LAW OFFICE OF DANIEL MARKS

MARQUIS AURBACH


10 By: /s/Adam Levine, Esq.
11 Daniel Marks, Esq.
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17 Attorneys for Plaintiff Charles Moser

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Attorneys for Defendants, LVMPD
Devin Ballard and Patrick Neville

17 **ORDER**

18 IT IS SO ORDERED that the jury trial date set for September 26, 2022, in this matter is
19 VACATED and reset for November 14, 2022 at 9:00 a.m.. Calendar call is reset for November 8, 2022
20 at 9:00 a.m. in Courtroom 6C.

21
22 DATED: August 8, 2022.

23 
24 _____
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE