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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLES MOSER,

Plaintiff,

Case Number:
2:17-cv-01704-APG-NJK

vs.

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

DEVIN BALLARD, an Individual;
PATRICK NEVILLE, an Individual; and
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Defendants.

Plaintiff Charles Moser (“Plaintiff”), by and through their attorneys of record, Daniel Marks, Esq. and Adam Levine, Esq. of Law Office of Daniel Marks, and Defendants Las Vegas Metropolitan Police Department (the “Department” or “LVMPD”), Devin Ballard (“Ballard”) and Patrick Neville (“Neville”) (collectively “LVMPD Defendants”), by and through their attorneys of record, Nick D. Crosby, Esq. and Jackie V. Nichols, Esq., of Marquis Aurbach, hereby submit this joint stipulation to continue the trial date currently set in this case on a stack for the week of November 13, 2023 [ECF No. 48].

Accordingly, the parties hereby stipulate and agree as follows:

1. The Court scheduled the trial stack [ECF No. 48] for the week of November 13, 2023 at 9:00 A.M.
2. Last month, counsel for LVMPD had a family member that passed away unexpectedly and has to deal with family affairs and will not be able to prepare for trial to

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1 occur in November.

2 3. Plaintiff's counsel also indicated that he has multiple Arbitrations, including
3 some with LVMPD, which conflict with the November stack and would affect his ability to
4 prepare for trial.

5 4. The Parties agree to vacate the current trial setting on a stack the week of
6 November 13, 2023 at 9:00 A.M. be vacated and the trial set no earlier than the month of
7 January, 2024.

8 IT IS SO STIPULATED.

9 Dated this 5th day of October, 2023.

Dated this 5th day of October, 2023.

10 LAW OFFICE OF DANIEL MARKS

MARQUIS AURBACH

11 By: s/Daniel Marks

By: s/Jackie V. Nichols


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13 Nevada Bar No. 2003
14 Adam Levine, Esq.
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Devin Ballard and Patrick Neville

ORDER

18 IT IS SO ORDERED that the trial date set for November 13, 2023 in this matter is
19 VACATED and reset for January 22, 2024 at 9:00 A.M. and calendar call on January 16,
20 2024 at 9:00 AM. in LV Courtroom 6C.

21 IT IS SO ORDERED this 5th day of October, 2023.

22
23 
24 _____
United States District Court Judge