

ROBERT W. COTTLE, ESQ.
Nevada Bar No. 4576
DANIEL M. RYAN, ESQ.
Nevada Bar No. 12485
THE COTTLE FIRM
8635 South Eastern Avenue
Las Vegas, Nevada 89123
rcottle@cottlefirm.com
dryan@cottlefirm.com
Telephone: (702) 722-6111
Facsimile: (702) 834-8555
Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

ADAM TORRES,

Plaintiff,

vs.

GEICO CASUALTY COMPANY; DOES I through XX, inclusive; ROE CORPORATIONS I through XX, inclusive; DOE INSURANCE ADJUSTERS I through XX, inclusive.

Defendants.

CASE NO.: 2:17-CV-01781

STIPULATION AND ORDER TO CONTINUE DISCOVERY DEADLINES
(Second Request)

Plaintiff, ADAM TORRES, by and through his counsel ROBERT W. COTTLE, ESQ. and DANIEL M. RYAN, ESQ., of THE COTTLE FIRM, and GEICO CASUATY COMPANY, by and through their counsel WADE M. HANSARD, ESQ., of MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP, hereby stipulate and agree to vacate and extend the current discovery deadlines set forth in the Order to Continue Discovery Deadlines filed on October 4, 2017, pursuant to LR 26-4. This is the second stipulation for extending discovery deadlines.

1

1 **A. Discovery Completed to Date.**

2 1. Plaintiff served his Initial disclosures on July 28, 2017.

3 2. Plaintiff served Defendants with Interrogatories to Defendant on August 15, 2017.

4 3. Plaintiff served Defendants with Requests for Admissions on August 15, 2017

5 4. Plaintiff served Defendants with Requests for Production on Documents on

6 August 15, 2017.

7 5. Defendant served their Initial disclosures on September 22, 2017.

8 6. Defendant served their Responses to Plaintiff's Interrogatories on September 18, 2017.

9 7. Defendant served their Responses to Plaintiff's Requests for Admissions on

10 September 18, 2017.

11 8. Defendant served their Responses to Plaintiff's First Set of Requests for Production of

12 Documents on September 18, 2017.

13 9. Plaintiff served his First Supplement to his disclosures on October 2, 2017.

14 10. Plaintiff filed his First Motion to Compel and For Sanctions on October 17, 2017.

15 11. Defendant filed their Response to Plaintiff's First Motion to Compel and For Sanctions

16 on October 31, 2017.

17 12. Plaintiff filed his Reply to Defendant's Response to Plaintiff's First Motion to Compel

18 and For Sanctions on November 7, 2017.

19 **B. Description of Discovery that Remains to Be Completed.**

20 The parties intend on conducting the following additional discovery:

21 1. Plaintiff intends on taking the deposition of key adjusters, namely, Defendant's SIU

22 investigator, general adjuster, supervising adjuster, and Defendant's Fed. R. Civ. P. 30(b)(6), pending

23 . . .

1 the resolution of Plaintiff's First Motion to Compel as the documents pertaining to the Motion will bear
2 upon the substance and quality of the testimony taken.

3 2. Pending the resolution of Plaintiff's First Motion to Compel, Plaintiff will be providing
4 documentation to his expert for purposes of expert disclosure.

5 3. Initial expert designations.

6 4. Rebuttal expert designations.

7 5. Expert depositions.

8 **C. Reasons Why Discovery was Not Completed.**

9 Plaintiff has filed his First Motion to Compel, which has yet to be set for hearing. The outcome
10 of the hearing will bear upon the substance and quality of deposition testimony taken, as well as the
11 content of expert reports. In addition, the parties submit that the stipulation will likely help avoid repeat
12 depositions and repeat expert evaluations/reports in the event there is substantial disclosure of additional
13 claim notes, claim file, claim correspondence, and policies and procedures on behalf of Defendant Geico
14 as a result of Plaintiff's Motion to Compel.

15 Finally, the parties are entertaining the possibility of mediation in early January.

16 As such, the parties respectfully stipulate and request that the discovery deadlines be extended as
17 delineated herein.

18 **D. Proposed Schedule for Completing Remaining Discovery.**

19 1. **Discovery Cut-off Date:** April 20, 2018.

20 2. **Amending the Pleadings and Adding Parties:** This deadline has past.

21 3. **FRCP 26(a)(2) Disclosure of Experts:** Disclosure of experts shall proceed according to
22 Rule 26(a)(2) and LR 26-1(e)(3) as follows: The disclosure of experts and their reports shall occur on or
23 before February 20, 2018. The disclosure of rebuttal experts and their reports shall occur on or before
24

1 March 23, 2018. The expert disclosure date is 60 days before the discovery cut-off date.

2 4. **Interim Status Report**: The parties shall file the Interim Status Report on or before
3 February 20, 2018, 60 days before the discovery cut-off date, as required pursuant to LR 26-3.

4 5. **Dispositive Motions**: The parties shall have until May 21, 2018 to file dispositive
5 motions. This is 30 days after the discovery cut-off date, as required pursuant to LR 26-1(e)(4).

6 6. **Pre-Trial Order**: The parties will file a Joint Pre-Trial Order on or before June 22, 2018,
7 which is not more than 30 days after the date set for filing dispositive motions in this case, as required
8 pursuant to LR 26-1(e)(5). This deadline will be suspended if dispositive motions are timely filed until
9 30 days after the decision of the dispositive motions or until further order of the Court. The disclosure
10 required by FRCP Rule 26(a)(3), and objections thereto, shall be made in the Pre-Trial Order.

11 This Stipulation is made in good faith and not for the purposes of delay.

12 DATED this 30th day of November, 2017.

13 DATED this 30th day of November, 2017.

14 _____
15 */s/ Robert W. Cottle*
16 ROBERT W. COTTLE, ESQ.
17 Nevada Bar No. 4576
18 _____
19 DANIEL M. RYAN, ESQ.
20 Nevada Bar No.12485
21 _____
22 THE COTTLE FIRM
23 _____
24 8635 South Eastern Avenue
25 Las Vegas, NV 89123
26 (702) 722-6111
27 _____
28 *Attorneys for Plaintiff*

14 _____
15 */s/ Wade M. Hansard*
16 WADE M. HANSARD, ESQ.
17 Nevada Bar No. 8104
18 _____
19 JONATHAN W. CARLSON, ESQ.
20 Nevada Bar No. 10536
21 _____
22 MCCORMICK, BARSTOW, SHEPPARD,
23 WAYTE & CARRUTH LLP
24 8337 West Sunset Road, Suite 350
25 Las Vegas, NV 89113
26 (702) 949-1100
27 _____
28 *Attorneys for Defendants*

23 IT IS SO ORDERED.

24 Dated: December 1, 2017

25 The parties shall continue to diligently conduct
26 discovery while Plaintiff's motion to compel is pending.

27 _____
28 *[Signature]*
 UNITED STATES MAGISTRATE JUDGE