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9 Attorneys for Plaintiffs

10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 BOARD OF TRUSTEES OF THE  
 13 PLUMBERS AND PIPEFITTERS LOCAL  
 14 525 HEALTH AND WELFARE TRUST  
 AND PLAN; BOARD OF TRUSTEES OF  
 15 THE PLUMBERS AND PIPEFITTERS  
 UNION LOCAL 525 PENSION PLAN;  
 16 AND BOARD OF TRUSTEES OF  
 17 PLUMBERS AND PIPEFITTERS LOCAL  
 UNION 525 APPRENTICE AND  
 18 JOURNEYMAN TRAINING TRUST FOR  
 SOUTHERN NEVADA,

Case No. 2:17-cv-01784-RFB-VCF

**STIPULATION AND ORDER TO  
 EXTEND DISCOVERY**

**SECOND REQUEST**

19 Plaintiffs,

20 vs.

21 STRONG MAN SERVICES, INC. dba  
 22 SMS Mechanical, a Nevada corporation;  
 LINDA NASH, an individual;  
 23 AFFORDABLE CONCEPTS, INC., a  
 Nevada corporation, BENTAR  
 24 DEVELOPMENT, INC., a Nevada  
 corporation; B & R BUILDERS, INC. dba  
 25 Breslin Builders, a Nevada corporation;  
 26 DAKEM & ASSOCIATES, LLC, a Nevada  
 limited liability company; KITTRELL  
 27 JENSEN CONTRACTORS, LLC, a  
 Nevada limited liability company;  
 28 LAFARGO, INC. dba LaFargo Builders, a

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Nevada corporation; LEDCOR  
CONSTRUCTION, INC., a Washington  
corporation; NORTH WIND  
ENVIRONMENTAL, INC., an Arkansas  
corporation; THE PENTA BUILDING  
GROUP, LLC, a Nevada limited liability  
company; SCI CONSTRUCTION, L.P., a  
Texas limited partnership; SR  
CONSTRUCTION, INC., a Nevada  
corporation; STARKE, INC. dba Starke  
Contractors, a Nevada corporation; UHS  
OF DELAWARE, INC., a Delaware  
corporation; NORTH RIVER INSURANCE  
COMPANY aka Crum & Forster, a  
Pennsylvania corporation,  
Defendants.

Plaintiffs Boards of Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan, the Plumbers and Pipefitters Union Local 525 Pension Plan, and the Plumbers and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada (collectively “Trust Funds”), by and through their counsel of record Brownstein Hyatt Farber Schreck, LLP; Defendant Affordable Concepts, Inc., (“Defendant Affordable”) by and through its counsel of record Pintar Albiston, LLP; and Defendants Linda Nash, Strong Man Services, Inc., dba SMS Mechanical, Bentar Development, Inc., Kittrell Jensen Contractors, LLC, LaFargo, Inc. dba LaFargo Builders, Ledcor Construction, Inc., North Wind Environmental, Inc., SCI Construction, L.P., SR Construction, Inc., Starke, Inc., dba Starke Contractors and UHS of Delaware, Inc. (collectively “Strong Man Defendants”) (Defendant Affordable and Strong Man Defendants collectively referred to as “Defendants”), by and through their counsel of record Fisher & Phillips, LLC, hereby stipulate and agree that the Scheduling Order (EFC No. 75) in this case be extended ninety (90) days from the current discovery deadline of April 20, 2018, to July 19, 2018, and the dispositive motion deadline be extended from May 21, 2018, to August 20, 2018. This is second request to extend the discovery deadline and is being made more than 21 days prior to the close of discovery.

1 **A. DISCOVERY COMPLETED:**

- 2 1. 10/19/2017 Defendant Affordable's Initial Disclosures and Witnesses.
- 3 2. 10/20/2017 Trust Funds' Initial Disclosures and Witnesses.
- 4 3. 11/1/2017 Trust Funds' Revised Initial Disclosures and Witnesses.
- 5 4. 12/15/2017 Defendant Strong Man's and Defendant Linda Nash's Initial
- 6 Disclosures and Witnesses.
- 7 5. 12/18/2017 Defendant Starke, Inc.'s Initial Disclosures and Witnesses.
- 8 6. 12/19/2017 Defendant North Wind Environmental, Inc.'s Initial Disclosures and
- 9 Witnesses.
- 10 7. 12/19/2017 LaFargo, Inc.'s Initial Disclosures and Witnesses.
- 11 8. 12/22/2017 Trust Funds' First Supplemental Initial Disclosures.
- 12 9. 12/22/2017 Trust Funds' First Admissions to Defendant Affordable.
- 13 10. 12/22/2017 Trust Funds' First Admissions to Defendant Bentar Development, Inc.
- 14 11. 12/22/2017 Trust Funds' First Admissions to Defendant Kittrell Jensen
- 15 Contractors, LLC.
- 16 12. 12/22/2017 Trust Funds' First Admissions to Defendant LaFargo, Inc.
- 17 13. 12/22/2017 Trust Funds' First Admissions to Defendant Ledor Construction, Inc.
- 18 14. 12/22/2017 Trust Funds' First Admissions to Defendant Linda Nash.
- 19 15. 12/22/2017 Trust Funds' First Admissions to Defendant North Wind
- 20 Environmental, Inc.
- 21 16. 12/22/2017 Trust Funds' First Admissions to Defendant SCI Construction L.P.
- 22 17. 12/22/2017 Trust Funds' First Admissions to Defendant SR Construction, Inc.
- 23 18. 12/22/2017 Trust Funds' First Admissions to Defendant Starke, Inc.
- 24 19. 12/22/2017 Trust Funds' First Admissions to Defendant Strong Man.
- 25 20. 12/22/2017 Trust Funds' First Admissions to Defendant UHS of Delaware, Inc.
- 26 21. 12/22/2017 Trust Funds' First Interrogatories to Affordable.
- 27 22. 12/22/2017 Trust Funds' First Interrogatories to Bentar Development, Inc.
- 28 23. 12/22/2017 Trust Funds' First Interrogatories to Defendant Kittrell Jensen
- Contractors, Inc.
24. 12/22/2017 Trust Funds' First Interrogatories to Defendant LaFargo, Inc.

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- 25. 12/22/2017 Trust Funds' First Interrogatories to Defendant Ledcor Construction, Inc.
- 26. 12/22/2017 Trust Funds' First Interrogatories to Defendant Linda Nash.
- 27. 12/22/2017 Trust Funds' First Interrogatories to Defendant North Wind Environmental, Inc.
- 28. 12/22/2017 Trust Funds' First Interrogatories to Defendant SCI Construction, L.P.
- 29. 12/22/2017 Trust Funds' First Interrogatories to Defendant SR Construction, Inc.
- 30. 12/22/2017 Trust Funds' First Interrogatories to Defendant Starke, Inc.
- 31. 12/22/2017 Trust Funds' First Interrogatories to Defendant Strong Man.
- 32. 12/22/2017 Trust Funds' First Interrogatories to Defendant UHS of Delaware, Inc.
- 33. 12/22/2017 Trust Funds' First Production Request to Defendant Affordable.
- 34. 12/22/2017 Trust Funds' First Production Request to Defendant Bentar Development, Inc.
- 35. 12/22/2017 Trust Funds' First Production Request to Defendant Kittrell Jensen Contractors, LLC.
- 36. 12/22/2017 Trust Funds' First Production Request to Defendant LaFargo, Inc.
- 37. 12/22/2017 Trust Funds' First Production Request to Defendant Ledcor Construction, Inc.
- 38. 12/22/2017 Trust Funds' First Production Request to Defendant Linda Nash.
- 39. 12/22/2017 Trust Funds' First Production Request to Defendant North Wind Environmental, Inc.
- 40. 12/22/2017 Trust Funds' First Production Request to Defendant SCI Construction, L.P.
- 41. 12/22/2017 Trust Funds' First Production Request to Defendant SR Construction, Inc.
- 42. 12/22/2017 Trust Funds' First Production Request to Defendant Starke, Inc.
- 43. 12/22/2017 Trust Funds' First Production Request to Defendant Strong Man.
- 44. 12/22/2017 Trust Funds' First Production Request to Defendant UHS of Delaware, Inc.
- 45. 1/18/2018 Defendant Bentar Development, Inc.'s Initial Disclosures and Witnesses.
- 46. 1/18/2018 Defendant Kittrell Jensen Contractors, LLC's Initial Disclosures and Witnesses.
- 47. 1/18/2018 Defendant Ledcor Construction, Inc.'s Initial Disclosures and Witnesses.

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- 48. 1/18/2018 Defendant SCI Construction, L.P.'s Initial Disclosures and Witnesses.
- 49. 1/18/2018 Defendant SR Construction, Inc.'s Initial Disclosures and Witnesses.
- 50. 1/18/2018 Defendant UHS of Delaware, Inc.'s Initial Disclosures and Witnesses.
- 51. 1/22/2018 Defendant Affordable Concepts, Inc.'s Responses to Trust Funds' First Request for Admissions.
- 52. 1/22/2018 Defendant Affordable Concepts, Inc. Responses to Trust Fund's First Set of Interrogatories.
- 53. 1/22/2018 Defendant Affordable Concepts, Inc.'s Responses to Trust Funds' First Request for Production of Documents.
- 54. 1/24/2018 Trust Funds' Second Second Supplemental Initial Disclosures.
- 55. 2/1/2018 Strong Man Services, Inc. dba SMS Mechanical's Responses to Trust Funds' First Request for Admissions.
- 56. 2/1/2018 Strong Man Services, Inc. dba SMS Mechanical's Responses to Trust Funds' First Request for Production of Documents.
- 57. 2/1/2018 Strong Man Services, Inc. dba SMS Mechanical's Answers to Trust Funds' First Set of Interrogatories.
- 58. 2/1/2018 Linda Nash's Responses to Trust Funds' First Request for Admissions.
- 59. 2/1/2018 Linda Nash's Responses to Trust Funds' First Request for Production of Documents.
- 60. 2/1/2018 Linda Nash's Answers to Trust Funds' First Set of Interrogatories.
- 61. 2/27/2018 Ledcor Construction, Inc.'s Response to Trust Funds' First Request for Admissions.
- 62. 2/27/2018 Bentar Development, Inc.'s Response to Trust Funds' First Request for Admissions.
- 63. 2/27/2018 Stakes, Inc.'s Response to Trust Funds' First Request for Admissions.
- 64. 2/27/2018 SR Construction, Inc.'s Response to Trust Funds' First Request for Admissions.
- 65. 2/27/2018 SCI Construction, LP's Response to Trust Funds' First Request for Admissions.
- 66. 2/27/2018 LaFargo, Inc.'s Response to Trust Funds' First Request for Admissions.
- 67. 2/27/2018 North Wind Environmental, Inc.'s Response to Trust Funds' First Request for Admissions.
- 68. 2/27/2018 Kittrell Jenson Contractors, LLC's Response to Trust Funds' First Request for Admissions.
- 69. 2/27/2018 Ledcor Construction, Inc.'s Response to Trust Funds' First Request for Production of Documents.

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- 70. 2/27/2018 Bentar Development, Inc.'s Response to Trust Funds' First Request for Production of Documents.
- 71. 2/27/2018 Stakes, Inc.'s Response to Trust Funds' First Request for Production of Documents.
- 72. 2/27/2018 SR Construction, Inc.'s Response to Trust Funds' First Request for Production of Documents.
- 73. 2/27/2018 SCI Construction, LP's Response to Trust Funds' First Request for Production of Documents.
- 74. 2/27/2018 LaFargo, Inc.'s Response to Trust Funds' First Request for Production of Documents.
- 75. 2/27/2018 North Wind Environmental, Inc.'s Response to Trust Funds' First Request for Production of Documents.
- 76. 2/27/2018 Kittrell Jenson Contractors, LLC's Response to Trust Funds' First Request for Production of Documents
- 77. 2/27/2018 Ledor Construction, Inc.'s Answers to Trust Funds' First Set of Interrogatories.
- 78. 2/27/2018 Bentar Development, Inc.'s Answers to Trust Funds' First Set of Interrogatories.
- 79. 2/27/2018 Stakes, Inc.'s Answers to Trust Funds' First Set of Interrogatories.
- 80. 2/27/2018 SCI Construction, LP's Answers to Trust Funds' First Set of Interrogatories.
- 81. 2/27/2018 LaFargo, Inc.'s Answers to Trust Funds' First Set of Interrogatories.
- 82. 2/27/2018 North Wind Environmental, Inc.'s Answers to Trust Funds' First Set of Interrogatories.
- 83. 2/27/2018 Kittrell Jenson Contractors, LLC's Answers to Trust Funds' First Set of Interrogatories.
- 84. 3/8/2018 Trust Funds' Third Supplemental Initial Disclosures.

**B. DISCOVERY THAT NEEDS TO BE COMPLETE:**

- 1. Outstanding discovery responses from UHS of Delaware, Inc., Ledor Construction, Inc. and SR Construction, Inc.
- 2. Possible additional Trust Funds' Requests for Production of Documents.
- 3. Possible additional Trust Funds' Interrogatories and Requests for Admissions.
- 4. Potential written discovery requests from Defendants.
- 5. Depositions of all relevant witnesses.

1 **C. REASON DISCOVERY WAS NOT COMPLETED.**

2 The Parties are requesting this extension to allow times for the Trust Funds and  
3 Defendants to discuss certain details of the contract compliance review (“Audit”) which is pivotal  
4 to this current matter. The Parties are hopeful that discussion of the Audit will narrow the issues  
5 subject to dispute and therefore enable the Parties to conserve resources.

6 **D. CURRENT DISCOVERY SCHEDULE:**

- 7 1. Discovery Cutoff April 20, 2018  
8 2. Dispositive Motion Cutoff May 21, 2018  
9 3. Pretrial Order Cutoff June 20, 2018

10 **E. PROPOSED DISCOVERY SCHEDULE:**

- 11 1. New Discovery Cutoff July 19, 2018  
12 2. New Dispositive Motion Cutoff August 20, 2018  
13 3. New Pretrial Order Cutoff September 19, 2018  
14 4. In the event dispositive motion(s) are filed, the date for filing the joint pretrial  
15 order shall be suspended until 30 days after the Court enters a ruling on the  
16 dispositive motions, or otherwise by further order of the Court.

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1 This is the Parties' second request for an extension of the discovery deadline dates. The  
2 requested extension is not made to delay this matter, but made in the hopes of facilitating a  
3 resolution or the narrowing issues at dispute in this matter. Based upon the foregoing, the Parties  
4 believe there is good cause for the requested extension.

5 BROWNSTEIN HYATT FARBER  
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10 Attorneys for Plaintiffs

Attorneys for Defendant, Affordable Concepts,  
Inc.

11 Dated: March 19, 2018

Dated: March 19, 2018

13 FISHER & PHILLIPS, LLP

14 /s/ David B. Dornak  
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15 Allison Kheel, Esq.  
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16 Las Vegas, Nevada 89101

17 Attorneys for Defendant, Linda Nash; Strong  
18 Man Services, Inc., dba SMS Mechanical;  
Bentar Development, Inc.; Kittrell Jensen  
19 Contractors, LLC; LaFargo, Inc. dba LaFargo  
Builders; Ledcor Construction, Inc.; North  
20 Wind Environmental, Inc.; SCI Construction,  
L.P.; SR Construction, Inc.; Starke, Inc., dba  
21 Starke Contractors; UHS of Delaware, Inc.

22 Dated March 19, 2018

23 **ORDER**

24 **IT IS SO ORDERED.**

25 

26 **UNITED STATES MAGISTRATE JUDGE**  
27 **CASE NO. 2:17-cv-01784-RFB-VCF**  
28 **DATED: 3-19-2018**