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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 ESTATE OF TASHI S. FARMER a/k/a TASHII
 9 FARMER a/k/a TASHII BROWN, by and
 10 through its Special Administrator, Elia Del
 11 Carmen Solano-Patricio; TAMARA BAYLEE
 12 KUUMEALI MAKAMAE FARMER DUARTE,
 13 a minor, individually and as Successor-in-
 Interest, by and through her legal guardian,
 Stevandra Lk Kuanoni; ELIAS BAY
 KAIMIPONO DUARTE, a minor, individually
 and as Successor-in-Interest, by and through his
 legal guardian, Stevandra Lk Kuanoni,

Case No.: 2:17-cv-01946-JCM-PAL

**STIPULATION AND [PROPOSED] ORDER
 TO EXTEND DISCOVERY AND
 PRETRIAL DEADLINES**

Third Request

14 **Plaintiffs,**
 15 vs.
 16 LAS VEGAS METROPOLITAN POLICE
 17 DEPARTMENT, a political subdivision of the
 18 State of Nevada; OFFICER KENNETH
 19 LOPERA, individually and in his Official
 20 Capacity; SERGEANT TRAVIS CRUMRINE,
 21 individually and in his Official Capacity;
 22 OFFICER MICHAEL TRAN, individually and in
 his Official Capacity; OFFICER MICHAEL
 FLORES, individually and in his Official
 Capacity; and Does 1 through 50, inclusive.
Defendants.

23 Pursuant to D.NEV.R. 26-4, the Parties stipulate as follows to extend the pretrial deadlines.

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I. STATEMENT OF DISCOVERY COMPLETED.

A. Written Discovery.

The parties have served the following written discovery:

DATE SERVED	WRITTEN DISCOVERY	DATE OF ORIGINAL RESPONSE
10/10/17	LVMPD's first requests for production to the Estate	12/21/17
10/10/17	LVMPD's first requests for production to Tamara Duarte	12/07/17
10/10/17	LVMPD's first requests for production to Elias Duarte	12/07/17
10/10/17	LVMPD's first interrogatories to the Estate	12/21/17
10/10/17	LVMPD's first interrogatories to Tamara Duarte	12/07/17
10/10/17	LVMPD's first interrogatories to Elias Duarte	12/07/17
01/12/18	Officer Lopera's first requests for admissions to the Estate	03/14/18
01/12/18	Officer Lopera's first requests for production to all Plaintiffs	03/14/18
01/12/18	Officer Lopera's first interrogatories to the Estate	03/14/18
03/05/18	Officer Lopera's first interrogatories to Elias Duarte	04/20/18
03/05/18	Officer Lopera's first interrogatories to Tamara Duarte	04/20/18
03/05/18	Officer Lopera's first second requests for production to Elias and Tamara Duarte	04/20/18
04/25/18	Plaintiffs' first requests for admissions to LVMPD	05/29/18
04/25/18	Plaintiffs' first interrogatories to LVMPD	05/30/18
04/25/18	Plaintiffs' first requests for production to LVMPD	05/29/18
06/19/18	Officer Lopera's first requests for production to LVMPD	07/24/18
07/27/18	Plaintiffs' first requests for admissions to Officer Tran	
07/27/18	Plaintiffs' first interrogatories to Officer Tran	
07/27/18	Plaintiffs' first requests for production to Officer Tran	

07/27/18	Plaintiffs' first requests for admissions to Officer Flores	
07/27/18	Plaintiffs' first interrogatories to Officer Flores	
07/27/18	Plaintiffs' first requests for production to Officer Flores	
07/27/18	Plaintiffs' first requests for admissions to Sergeant Crumrine	
07/27/18	Plaintiffs' first interrogatories to Sergeant Crumrine	
07/27/18	Plaintiffs' first requests for production to Sergeant Crumrine	

B. Depositions.

The following depositions have been taken or are scheduled to be taken:

DATE	WITNESS	PARTY WHO NOTICED THE DEPOSITION
12/20/17	Defendant Officer Michael Tran	Plaintiffs
12/20/17	Defendant Officer Ashley Lif	Plaintiffs
12/21/17	Security Guard Marcelino Vibas	Plaintiffs
12/21/17	Security Guard Peter Infantino	Plaintiffs
12/21/17	Sergeant Michael Bland	Plaintiffs
12/27/17	Chief John McGrath	Plaintiffs
12/27/17	Sergeant Travis Crumrine	Plaintiffs
02/08/18	Defendant Officer Michael Flores	Plaintiffs
04/10/18	Stevandra Kuanoni	LVMPD
04/26/18	Jonathan Pierce	Plaintiffs
05/08/18	Trinita Farmer	Plaintiffs
05/31/18	Tamara Duarte	Plaintiffs
05/31/18	Elias Duarte	Plaintiffs
05/31/18	Sandy Morton	Plaintiffs

1	06/01/18	Jason Kuanoni	LVMPD
2	06/15/18	Detective Trevor Alsup	Plaintiffs
3	06/15/18	Detective Marc Colon	Plaintiffs
4	07/19/18	Treating Physician Dr. Adelisa Lizada	Officer Lopera
5	07/20/18	Kasey Kirkegard	Plaintiffs
6	08/21/18	Plaintiffs' Expert Scott Defoe	Officer Lopera
7	08/22/18	Officer Lopera's Expert Frank Mir	Plaintiffs
8	08/22/18	Officer Lopera's Expert Jamie Borden	Plaintiffs
9	08/22/18	Officer Lopera's Expert Jamie Borden	Plaintiffs
10	08/24/18	Treating Nurse Cathy Vild	Officer Lopera
11	09/12/18	Coroner Alane Olson, M.D.	Officer Lopera
12	09/24/18	Defendants' Expert Dr. Gary Vilke	Plaintiffs
13	09/24/18	Defendants' Expert Dr. Binh Ly	Plaintiffs
14	09/24/18	Defendants' Expert Dr. Binh Ly	Plaintiffs

15 **C. Expert Witnesses.**

16 To date, the parties have disclosed the following expert witnesses:

17	EXPERT WITNESS	DISCLOSING PARTY(IES)
18	Dr. Binh Ly	Defendants (Joint Disclosure)
19	Dr. Gary Vilke	Defendants (Joint Disclosure)
20	Dr. Stan v. Smith	Defendants (Joint Disclosure)
21	John Ryan	LVMPD
22	Lawrence G. Lynch	LVMPD
23	Frank Mir	Officer Lopera
24	Jamie Borden	Officer Lopera
25	Jamie Borden	Officer Lopera
26	Dr. Alane Olson	Plaintiffs
27	Dr. Terrence Clauretie	Plaintiffs
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1	Dr. William Smock	Plaintiffs
2	Scott DeFoe	Plaintiffs

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II. DESCRIPTION OF THE REMAINING DISCOVERY.

The parties still need to complete the following depositions:

DATE	DEPOSITION LOCATION	WITNESS	NOTICING PARTY
08/21/18	Las Vegas, NV	Plaintiffs' Expert Scott Defoe	Officer Lopera
08/22/18	Las Vegas, NV	Officer Lopera's Expert Frank Mir	Plaintiffs
08/22/18	Las Vegas, NV	Officer Lopera's Expert Jamie Borden	Plaintiffs
08/24/18	Las Vegas, NV	Treating Nurse Cathy Vild	Officer Lopera
09/12/18	Sequim, WA	Coroner Alane Olson, M.D.	Officer Lopera
09/24/18	San Diego, CA	Defendants' Expert Dr. Gary Vilke	Plaintiffs
09/24/18	San Diego, CA	Defendants' Expert Dr. Binh Ly	Plaintiffs
TBD	Louisville, KY	Plaintiffs' Expert William Smock	Officer Lopera
TBD	Las Vegas, NV	Plaintiffs' Expert Terrence Clauretie	Officer Lopera
TBD	Missouri	LVMPD's Expert Lawrence G. Lynch	Plaintiffs
TBD	Indiana	LVMPD's Expert Jack Ryan	Plaintiffs
TBD	Chicago, IL	Defendants' Expert Dr. Stan V. Smith	Plaintiffs

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IV. REASONS WHY THE REMAINING DISCOVERY HAS NOT BEEN COMPLETED.

One of the attorneys representing Plaintiffs, Federico C. Sayre, has two trials in other cases

1 during the current discovery period. Mr. Sayre asked Defendants to stipulate to a thirty day extension
 2 of the discovery deadline, to which Defendants agreed. Officer Lopera's counsel also proposed that the
 3 extension be for forty-five days in case Mr. Sayre's trials were to go longer than anticipated or in the
 4 event any other unforeseen scheduling issues were to arise.

5 On Tuesday, August 7, 2018, Plaintiffs' counsel received from Craig Anderson, counsel for
 6 Defendant Las Vegas Metropolitan Police Department, the report of the Tactical Review Board, Force
 7 Investigation Report, and Critical Incident Review Process report. Plaintiffs would like to take the
 8 depositions of 1) Assistant Sheriff Tim Kelly, Chair; 2) Captain John Pelletier, Board Member; 3)
 9 Sergeant Ryan Evans, Tactical Expert; 4) Sergeant Jose Hernandez Peer Member; and 5) Detective
 10 Travis Ivie, Peer Member.

11 The LVMPD Defendants have agree to three additional depositions including (1) Tim Kelly,
 12 (2) Ryan Evans, and (3) Jose Hernandez. These depositions will be limited to recently produced
 13 documents. The LVMPD Defendants do not agree to five additional defendants. However, the LVMPD
 14 Defendants remain open to discussing additional depositions after the three depositions have been
 15 taken.

16 **V. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY.**

TASK	CURRENT DEADLINE	PROPOSED NEW DEADLINE
Discovery Cut-Off Date	Wednesday, September 12, 2018	Monday, October 29, 2018
Dispositive Motions	Thursday, October 11, 2018	Monday, November 26, 2018
Joint Pretrial Order	Monday, November 12, 2018	Thursday, December 27, 2018

23 All other deadlines not expressly addressed above shall remain unchanged.

24 This request for an extension of time is not sought for any improper purpose or other purpose
 25 of delay. The parties have worked together at moving discovery forward and have conducted
 26 significant discovery up to this point.

1 This is the third request for extension of time in this matter. The parties respectfully submit
2 that the reasons set forth above constitute compelling reasons for the discovery extension.

3 IT IS SO STIPULATED on August 13, 2018.

4 MCNUTT LAW FIRM, P.C.

ABIR COHEN TREYZON SALO, LLP

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16 **IT IS SO ORDERED:**

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18 UNITED STATES MAGISTRATE JUDGE

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20 DATED: August 17, 2018
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