

NETTLES LAW FIRM
1389 Galleria Drive Suite 200
Henderson, NV 89014
(702) 434-8282 / (702) 434-1488 (fax)

1 BRIAN D. NETTLES, ESQ.
Nevada Bar No. 7462
2 WILLIAM R. KILLIP, JR.
Nevada Bar No. 3660
3 JENNIFER PETERSON, ESQ.
Nevada Bar No. 11242
4 NETTLES LAW FIRM
5 1389 Galleria Drive, Suite 200
Henderson, Nevada 89014
6 Telephone: (702) 434-8282
7 Facsimile: (702) 434-1488
brian@nettleslawfirm.com
8 bill@nettleslawfirm.com
9 jennifer@nettleslawfirm.com
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

13 MICHELLE ZAPINSKI, an individual;
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15 Plaintiffs,
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17 vs.
18 WAL-MART STORES, INC., a foreign
19 corporation d/b/a WAL-MART
20 SUPERCENTER #1584; DOES 1 through
21 10, inclusive; ROE CORPORATIONS 11
22 through 20, inclusive; and ABC LIMITED
23 LIABILITY COMPANIES 21 through 30,
24 inclusive,
25
26 Defendants.

CASE NO.: 2:17-CV-2176

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINE
DATES (FIRST REQUEST)**

23 COME NOW, Plaintiff MICHELLE ZAPINSKI, by and through her attorneys BRIAN D.
24 NETTLES, ESQ., and WILLIAM R. KILLIP, JR., ESQ., and JENNIFER A. PETERSON, ESQ.,
25 of the NETTLES LAW FIRM; and Defendant WAL-MART STORES, INC. d/b/a WAL-MART
26 SUPERCENTER #1584, by and through their attorneys ROBERT K. PHILLIPS, ESQ., and
27 RYAN KERBOW, ESQ., of PHILLIPS, SPALLAS & ANGSTADT, LLC, and hereby submit
28 the following Stipulation pursuant to Local Rule 26-4. Based upon the following, the Parties

1 request this Court extend all discovery deadlines by sixty (60) days. This request is made in
2 good faith and not to unduly delay the proceedings.

3 **I. Local Rule 6-1**

4 Under LR 6-1(b) every stipulation to extend time must inform the court of any previous
5 extensions granted and state the reason for the extension requested.

6 **a. The Requirement of Local Rule 6-1 Are Satisfied**

7 This is the first request for extension filed by the parties. The parties are seeking this
8 extension in order to complete additional discovery that could not be completed during the time
9 allotted.

10 **II. Local Rule 26-4(a)**

11 Under LR 26-4(a) a statement specifying the Discovery completed:

- 12 a. Initial disclosures have been exchanged between all parties.
- 13 b. Written discovery has been expedited.

14 **III. Local Rule 26-4(b)**

15 Under LR 26-4(b) a specific description of the Discovery that remains to be completed:

- 16 a. The remaining Discovery to be completed is Plaintiff's deposition, FRCP 30(b)(6)
17 depositions of Defendant, Deposition of Defendant's employees, depositions of
18 treating physicians, and disclosure and depositions of the experts. Of note: the
19 deposition of Plaintiff is currently scheduled to take place on November 29, 2017 and
20 the deposition of Dr. Yavgeniy Khavkin, Plaintiff's treating physician, is currently
21 scheduled to take place on December 19, 2017.

22 **IV. Local Rule 26-4(c)**

23 Under LR 26-4(c) the reasons why Discovery remaining was not completed within the
24 time limits set by the Discovery Plan:

- 25 a. Due to various scheduling conflicts, it has been impossible to conduct depositions
26 which must be completed prior to the disclosure of experts.

27 **V. Local Rule 26-4(d)**

28 Under LR 26-4(d) a proposed schedule for completing all remaining Discovery:

- 1 a. Discovery cutoff dates:
 - 2 Current date: February 12, 2018
 - 3 Proposed date: April 13, 2018
- 4 b. Amending the Pleadings and Adding Parties:
 - 5 Current date: November 14, 2017
 - 6 Proposed date: January 12, 2018
- 7 c. Disclosures of Experts:
 - 8 i. Initial expert disclosures:
 - 9 Current date: December 14, 2017
 - 10 Proposed date: February 12, 2018
 - 11 ii. Rebuttal expert disclosures:
 - 12 Current date: January 15, 2018
 - 13 Proposed date: March 14, 2018
- 14 d. Interim Status Report:
 - 15 Current date: December 14, 2017
 - 16 Proposed date: February 12, 2018
- 17 e. Dispositive Motions:
 - 18 Current date: March 14, 2018
 - 19 Proposed date: May 11, 2018
- 20 f. Joint Pre-Trial Order:
 - 21 Current date: April 13, 2018
 - 22 Proposed date: June 12, 2018
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Therefore, good cause existing, counsel jointly request that this Honorable Court allow them the above proposed extended Discovery dates.

DATED this 9th day of November, 2017. DATED this 9th day of November, 2017.
NETTLES LAW FIRM PHILLIPS, SPALLAS & ANGSTADT LLC

By: /s/ Jennifer A. Peterson By: /s/ Ryan Kerbow
JENNIFER A. PETERSON, ESQ. RYAN KERBOW, ESQ.
Nevada Bar No. 11242 Nevada Bar No. 11403
1389 Galleria Drive, Suite 200 504 South Ninth Street
Henderson, Nevada 89014 Las Vegas, Nevada 89101
Attorneys for Plaintiff *Attorneys for Defendant*

ORDER

Upon stipulation of counsel and good cause appearing therefore:

IT IS HERBY ORDERED that the *Stipulation and Order to Extend Discovery Deadline Dates (First Request)* is hereby approved.

DATED November 13 _____, 2017.


UNITED STATES MAGISTRATE JUDGE

Respectfully submitted by:
NETTLES LAW FIRM
By: /s/ Jennifer A. Peterson
JENNIFER PETERSON, ESQ.
Nevada Bar No. 11242
1389 Galleria Drive, Suite 200
Henderson, Nevada 89014
Attorney for Plaintiff