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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 DONNA JACKSON, Individually and as
14 Special Administrator of the Estate of GLORIA
15 JACKSON, Deceased, and JAQUANNA
16 JACKSON, Individually,

17 Plaintiff,

18 v.
19 APPLIED MEDICAL RESOURCES, INC., a
20 Foreign Corporation; W.L. GORE &
ASSOCIATES, INC., a Foreign Corporation;
Defendants.

Case No. 2:17-cv-02183-RFB-PAL

**STIPULATION AND PROPOSED
ORDER TO STAY DISCOVERY**

[First Request]

21 Plaintiffs Donna Jackson and Gloria Jackson (“Plaintiffs”), by and through their attorney
22 of record, the law firm of Moss Berg Injury Lawyers, and Defendant W. L. Gore & Associates,
23 Inc. (“Gore”), by and through its counsel, the law firm of Greenberg Traurig, LLP, hereby
24 stipulate and respectfully jointly move this Court to stay discovery in this matter, including the
25 FRCP 26(f) conference and FRCP 26(f) initial disclosures, pending a ruling on Gore’s Motion to
26 Dismiss (“Motion”) (Doc. 14)¹. The Motion has been fully briefed by the parties and submitted
27

28 ¹ Plaintiffs shall dismiss all claims against Applied Medical Resources, Inc. (“Applied”), negating the need
for Applied to be party to this Stipulation.

1 to the Court for decision. As addressed in the Motion, Gore submits that among other issues
2 substantiating this Court's anticipated decision to grant the Motion, Plaintiffs' claims against
3 Gore are time barred and must be dismissed as a matter of law². Thus, the nature and scope of
4 discovery to be had, if any, is wholly dependent upon the outcome of the pending Motion.
5 Should the Court deny Gore's Motion, in whole or in part, the parties stipulate to holding the
6 FRCP 26(f) conference within ten (10) days of the Court's decision. This stipulation is made in
7 good faith and not for purposes of delay.

8 **IT IS SO STIPULATED.**

9 DATED this 6th day of November, 2017

10 GREENBERG TRAURIG, LLP

11 By: /s/ Alayne M. Opie

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20 Atlanta, Georgia 30305
21 Attorneys for W.L. Gore & Associates, Inc.

22 DATED this 6th day of November, 2017

23 MOSS BERG INJURY LAWYERS

24 By: /s/ Boyd B. Moss, III

25 BOYD B. MOSS, III, ESQ. (NV Bar 8856)
26 MARCUS A. BERG, ESQ. (NV Bar 9760)
27 4101 Meadows Lane, Suite 110
28 Las Vegas, Nevada 89107
Counsel for Plaintiffs

² Nothing herein shall be deemed as Plaintiffs' concession to such argument.

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2:17-cv-02183-RFB-PAL
STIPULATION AND PROPOSED
ORDER TO STAY DISCOVERY

IT IS SO ORDERED:

Discovery in STAYED;

Should the Court deny Gore's Motion, in whole or in part, the parties shall hold the
FRCP 26(f) conference within ten (10) days.

DATED this 8th day of November, 2017.



RICHARD F. BOULWARE, II
United States District Judge

Respectfully submitted,

GREENBERG TRAURIG, LLP

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