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8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 Case No.: 2:17-cv-02196- APG -VCF

11 SYLVIA LEYS,  
 Plaintiff,

12 v.

13  
 14 WAL-MART STORES, INC., dba WALMART  
 STORE #4356 a foreign  
 15 corporation; DOE EMPLOYEE; DOES I  
 through XXX, inclusive and ROE  
 16 BUSINESS ENTITIES I through XXX,  
 inclusive,  
 17 Defendants.

**STIPULATION AND ORDER FOR  
 LEAVE TO CONDUCT CERTAIN  
 DISCOVERY OUTSIDE THE  
 DISCOVERY PERIOD**

18  
 19 Plaintiff SYLVIA LEYS (hereinafter "Plaintiff") and Defendant WAL-MART STORES, INC.  
 20 (hereinafter "Defendant"), by and through their respective counsel of record, do hereby stipulate to  
 21 conduct certain discovery outside the discovery period. Specifically, the parties stipulate that  
 22 **Defendant shall take the deposition of Plaintiff on November 13, 2018 at 9:00 AM.**

23 **DISCOVERY COMPLETED TO DATE**

- 24
- 25 • The parties have conducted an FRCP 26(f) conference.
  - 26 • The parties have served and exchanged their respective FRCP 26(a) initial disclosures  
 and supplements thereto.
  - 27 • Plaintiff has served written discovery requests to Defendant, and Defendant timely  
 28 served its responses and objections to the same.

- 1 • Defendant has served written discovery requests to Plaintiff, and Plaintiff timely served
- 2 her responses and objections to the same.
- 3 • Each party has made their respective expert disclosures.
- 4 • Plaintiff has taken depositions of fact witnesses, including Walmart employees Marlen
- 5 Hughes, Drake Jenkins, and Dennis Dellere.
- 6 • Defendant has taken the deposition of Plaintiff's expert John Peterson.
- 7 • Defendant has taken depositions of Plaintiff's treating providers Dr. Grover and Dr.
- 8 Moratillo.
- 9 • Defendant has obtained executed authorizations from Plaintiff and has subpoenaed and
- 10 records from Plaintiff's providers and continues to subpoena updated records on an
- 11 ongoing basis.

12 **DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD**

13 Discovery to be completed includes:

- 14 • Defendant's deposition of Plaintiff.

15 The parties aver that good cause exists for the request pursuant to Local Rule 6-1. Defendant  
16 timely noticed the Plaintiff's deposition, however, due to scheduling conflicts, said deposition could not  
17 be completed within the discovery period. As such, the parties have cordially agreed to aforementioned  
18 date and time for completion of the deposition.

19 //

21 //

23 //

25 //

27 //

1 The parties aver that this request is made by the parties in good faith and not for the purpose of  
2 delay.

3 DATED this 5th day of November, 2018.

DATED this 5th day of November, 2018.

4 */s/ Carl R. Houston*

*/s/ Alyce W. Foshee*

5 CARL R. HOUSTON, ESQ.

ROBERT K. PHILLIPS, ESQ.

6 Nevada Bar No. 11161

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10 *Attorneys for Plaintiff*

*Attorneys for Defendant*

11 *Sylvia Leys*

*Wal-Mart Store, Inc.*

12  
13 **IT IS SO ORDERED:**



14  
15 **UNITED STATES MAGISTRATE JUDGE**

16 11-5-2018

17 **DATED:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 5th day of November, 2018, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER FOR LEAVE TO CONDUCT CERTAIN DISCOVERY OUTSIDE THE DISCOVERY PERIOD** as follows:

- By facsimile addressed to the following counsel of record, at the address listed below;
- By placing same to be deposited for mailing in the United States Mail, in a sealed envelope

upon which first class postage was prepaid in Las Vegas, Nevada;

- By Hand Delivery (ROC); and/or
- By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
RAMZY P. LADAH ESQ. Nevada Bar No. 11405 CARL R. HOUSTON Nevada Bar No. 11161 <b>LADAH LAW FIRM</b> 517 S. Third Street Las Vegas, NV 89101 <a href="mailto:ramzy@ladahlaw.com">ramzy@ladahlaw.com</a>	Phone 702-252-0055 Fax 702-248-0055	Plaintiff



An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC