

**STED**  
BRADLEY S. MAINOR, ESQ.  
Nevada Bar No. 7434  
JOSEPH J. WIRTH, ESQ.  
Nevada Bar No. 10280  
**MAINOR WIRTH, LLP**  
6018 S. Fort Apache Road, Ste. 150  
Las Vegas, NV 89148-5652  
Tel: (702) 464-5000  
Fax: (702) 463-4440  
[brad@mwinjury.com](mailto:brad@mwinjury.com)  
[joe@mwinjury.com](mailto:joe@mwinjury.com)  
*Counsel for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ANGELA ALLEN, individually;

CASE NO.: 2:17-cv-02204-APG-NJK

Plaintiff,

VS.

TARGET CORPORATION, a Foreign Corporation; DOES I – X, inclusive; and ROE CORPORATIONS I – X, inclusive,

## Defendants.

## **STIPULATION FOR EXTENSION OF DISCOVERY DEADLINES (Third Request)**

The above named parties, by and through their respective counsel of record, hereby submit the following STIPULATION FOR EXTENSION OF DISCOVERY DEADLINES (Third Request).

## A. DISCOVERY COMPLETED TO DATE

This matter involves a slip and fall at one of Defendant's stores. On September 20, 2017, the parties held an initial Rule 26(f) Conference. On September 27, 2017, the Court entered a Stipulated Discovery Plan/Scheduling Order. On November 29, 2017, the Court granted the parties' first stipulated request to extend discovery deadlines. On January 29, 2018, the Court granted the parties' second stipulated request to extend discovery deadlines.

1 To date, Plaintiff has produced the following discovery:

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- Plaintiff's Initial List of Witnesses and Production of Documents Pursuant to FRCP 26.1(a), served September 21, 2017;
- 1<sup>st</sup> Supplement to Plaintiff's Initial List of Witnesses and Production of Documents Pursuant to FRCP 26.1(a), served October 2, 2017;
- 2<sup>nd</sup> Supplement to Plaintiff's Initial List of Witnesses and Production of Documents Pursuant to FRCP 26.1(a), served November 17, 2017;
- Plaintiff's Answers to Defendant Target Corporation's First Set of Interrogatories, served November 20, 2017;
- Plaintiff's Responses to Defendant's First Set of Requests for Production of Documents, served November 20, 2017;
- 3<sup>rd</sup> Supplement to Plaintiff's Initial List of Witnesses and Production of Documents Pursuant to FRCP 26.1(a), served January 8, 2017;
- 4<sup>th</sup> Supplement to Plaintiff's Initial List of Witnesses and Production of Documents Pursuant to FRCP 26.1(a), served April 11, 2018.

To date, Defendant has produced the following discovery:

- Defendant Target Corporation's Initial Disclosures of Witnesses and Documents Pursuant to Fed.R.Civ.P. 26(a)(1), served September 20, 2017;
- Defendant Target Corporation's First Supplemental Disclosures of Witnesses and Documents Pursuant to Fed.R.Civ.P. 26(a)(1), served March 9, 2018;
- Defendant Target Corporation's Answers to Plaintiff's First Set of Interrogatories, served March 9, 2018;
- Defendant Target Corporation's Responses to Plaintiff's First Set of Requests for Production, served March 9, 2018.

To date, the following depositions have been taken:

- Julie Jarvis Francois, taken by Plaintiff on November 28, 2017;
- Ralph Tiebel, taken by Plaintiff on November 28, 2017;
- Illunga McClendon, taken by Plaintiff on February 20, 2018;
- Jason Boone, taken by Plaintiff on February 20, 2018.

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1                   **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

2                   Defendant is still obtaining Plaintiff's medical records through authorizations provided by  
3 Plaintiff. Defendant needs to conduct the deposition of Plaintiff, a witness who was with her at  
4 the time of the subject incident, and at least two of Plaintiff's treating healthcare providers once  
5 Defendant has received Plaintiff's medical records directly from the providers. Plaintiff continues  
6 to experience symptoms she attributes to the subject incident and anticipates requiring future  
7 treatment so Defendant may seek to have Plaintiff appear for a Rule 35 Examination.

8                   Plaintiff intends to conduct the depositions of additional employees and FRCP 30(b)(6)  
9 representatives. The parties are also in the process of scheduling Plaintiff's deposition.

10                  The parties also anticipate designating expert witnesses and conducting the depositions of  
11 any designated expert witnesses.

12                  **C. REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED**

13                  Defendant is still in the process of obtaining Plaintiff's medical records and films.  
14 Defendant needs to obtain those records before conducting the depositions of Plaintiff and her  
15 treating healthcare providers. Defendant also needs to obtain those records and films to provide  
16 to Defendant's medical expert. Also, as Plaintiff continues to experience symptoms she attributes  
17 to the subject incident and anticipates requiring future treatment, Defendant will likely seek to  
18 have Plaintiff attend a Rule 35 Examination.

19                  Plaintiff needs to conduct the depositions of additional employees and Defendant's FRCP  
20 30(b)(6) representative(s) prior to the disclosure of expert witnesses. Four of Defendant's  
21 employees have been deposed to date, and the parties are working to schedule the remaining  
22 employee depositions.

23                  All of this discovery cannot be completed and provided to expert witnesses to allow them  
24 to complete expert reports prior to the current initial expert disclosure deadline. Accordingly, the  
25 parties request a sixty day extension of the current discovery deadlines.

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1                   **D. PROPOSED DISCOVERY SCHEDULE**

2                   Close of Discovery:                   August 13, 2018  
3                   Dispositive Motions:               September 12, 2018  
4                   Joint Pre-Trial Order:               October 12, 2018  
5                   Last day to amend pleadings:       Closed  
6                   Initial Expert Disclosures:       June 13, 2018  
7                   Rebuttal Expert Disclosures:       July 13, 2018  
8                   Interim Status Report               June 13, 2018

9                   DATED this 11<sup>th</sup> day of April, 2018.

10                  **MAINOR WIRTH, LLP**

11                  /s/ Joseph J. Wirth

12                  \_\_\_\_\_  
13                  BRADLEY S. MAINOR, ESQ.  
14                  Nevada Bar No. 7434  
15                  JOSEPH J. WIRTH, ESQ.  
16                  Nevada Bar No. 10280  
17                  6018 S. Fort Apache Road, Ste. 150  
18                  Las Vegas, NV 89148-5652  
19                  *Counsel for Plaintiff*

20                  IT IS SO ORDERED.

21                  Dated April 12, 2018

22                  DATED this 11<sup>th</sup> day of April, 2018.

23                  **WILSON, ELSER, MOSKOWITZ,  
24                  EDELMAN & DICKER, LLP**

25                  /s/ Douglas M. Rowan

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27                  DOUGLAS M. ROWAN, ESQ.  
28                  Nevada Bar No. 4736  
29                  300 S. Fourth Street, 11<sup>th</sup> Floor  
30                  Las Vegas, NV 89101  
31                  *Counsel for Defendant*

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34                  **UNITED STATES MAGISTRATE JUDGE**