

1 KENNETH M. WEBSTER, ESQ.
 2 Nevada Bar No.: 7205
 3 RYAN T. O'MALLEY, ESQ.
 4 Nevada Bar No.: 12461
 5 HALL PRANGLE & SCHOONVELD, LLC
 6 1160 N. Town Center Dr., Ste. 200
 7 Las Vegas, NV 89144
 8 *Attorneys for Defendant Brian Groves*

9 **IN THE UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 DAN THOMASSIAN,

12 Plaintiff,

13 vs.

14 BRIAN GROVES, FOX RENT A CAR,
 15 INC., a California Corporation, DOES I-X,
 16 and ROES I-X, Inclusive,

17 Defendants.

CASE NO.: 2:17-CV-2301-APG-PAL

STIPULATION AND ORDER TO
EXTEND DISCOVERY

(First Request)

18 IT IS HEREBY STIPULATED and agreed by and between Plaintiff Dan Thomassian and
 19 Defendant Brian Groves that, pursuant to LR26-4, the discovery deadlines in this matter shall be
 20 extended as follows:

21 **A. DISCOVERY COMPLETED**

22 The parties have conferred and exchanged discovery documents and witness lists
 23 pursuant to FRCP 26 and have supplemented the same. The parties have propounded and
 24 responded to written discovery. The parties resolved between themselves a good-faith discovery
 25 dispute regarding Defendant's requests for a list of Plaintiff's medical providers and
 26 authorizations for a release of those providers' medical records. Plaintiff has provided this
 27 information, and Defendant is in the process of obtaining complete records from these providers.
 28

HALL PRANGLE & SCHOONVELD, LLC
 1160 NORTH TOWN CENTER DRIVE
 SUITE 200
 LAS VEGAS, NEVADA 89144
 TELEPHONE: 702-889-6400 FACSIMILE: 702-384-6025

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

B. REMAINING DISCOVERY

Defendant has not yet been able to obtain complete medical records from Plaintiff's medical providers, which will be necessary to have a meaningful IME and expert review performed. Once complete records are obtained, the parties anticipate that the remainder of discovery will be completed expeditiously, as only the parties' depositions and expert depositions are likely to be necessary. The parties anticipate that this will be the only extension necessary to fully complete discovery.

C. REASON FOR NOT COMPLETING DISCOVERY

Discovery in this matter has been complex. Plaintiff's Computation of Damages amounts to \$100,000.00, and the parties dispute the extent to which Plaintiff's prior medical history may have caused or contributed to the injuries claimed to be at issue in this lawsuit. This presents a complex question of medical causation which must be resolved through expert testimony. Expert review has been delayed due to a good faith dispute between the parties regarding records releases and disclosure of providers, but the parties have resolved this dispute between themselves. In addition, while Plaintiff is a resident of Nevada, Defendant Groves is a resident of Virginia and Fox Rent-A-Car is headquartered in California, which has complicated discovery and obtaining medical records. Fox Rent-A-Car has been voluntarily dismissed from the action, which narrows the scope of remaining discovery and will simplify matters going forward.

Defendant has acted diligently to request records since receiving a list of Plaintiff's providers, and hoped to be able to obtain complete medical records for Plaintiff prior to the expert disclosure deadline, so as to not trouble the Court with a request for an extension and to resolve the matter within the time originally contemplated. It has unfortunately become apparent that this will not be possible. In the interest of adjudicating this matter expeditiously, the parties request only a three month extension of the deadlines below.

...
...
...
...

HALL PRANGLE & SCHOONVELD, LLC
1160 NORTH TOWN CENTER DRIVE
SUITE 200
LAS VEGAS, NEVADA 89144
TELEPHONE: 702-889-6400 FACSIMILE: 702-384-6025

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

D. PROPOSED NEW SCHEDULE

	<u>Present Deadlines</u>	<u>New Deadlines</u>
Last day to amend pleadings/add parties:	3/1/2018	6/1/2018
Initial Expert Disclosures:	3/1/2018	6/1/2018
Rebuttal Expert Disclosures:	4/2/2018	7/2/2018
Interim Status Report:	3/31/2018	7/2/2018
Close of Discovery:	5/31/2018	9/1/2018
Last Day to File Dispositive Motions:	7/2/2018	10/2/2018
Joint Pretrial Order:	8/2/2018	11/1/2018

IT IS SO STIPULATED.

DATED this 26th day of February, 2018.

DATED this 26th day of February, 2018.

GIBSON LAW GROUP

HALL PRANGLE & SCHOONVELD, LLC

/s/ Thomas J. Gibson
THOMAS J. GIBSON, ESQ.
Nevada Bar No. 3995
2340 E. Calvada Blvd., Ste. 5
Pahrump, NV 89048
Attorneys for Plaintiff

/s/ Ryan T. O'Malley
KENNETH M. WEBSTER, ESQ.
Nevada Bar No. 7205
RYAN T. O'MALLEY, ESQ.
Nevada Bar No. 12461
1160 North Town Center Drive, Suite 200
Las Vegas, NV 89144
Attorneys for Defendant
Brian Groves

IT IS SO ORDERED.

DATED February 27, 2018


UNITED STATES MAGISTRATE JUDGE