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11UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JACKIE WESTENBERGER,

Plaintiff,

v.

ALBERTSONS LLC,

Defendant.

Case No. 2:17-cv-02661-JAD-PAL

ORDER

Before the court is the parties' Stipulation and Order to Extend Discovery Deadlines (First Request) (ECF No. 12). The parties agree to a 90-day continuance of the existing discovery plan and scheduling order deadlines. The court has reviewed the parties' stipulation and is not satisfied that the parties have been diligent in attempting to complete discovery within the time deemed presumptively reasonable under LR 26-1. The stipulation states that "[d]espite the parties' good faith efforts to comply with the Court's deadlines, both have been compromised in part by the amount of remaining discovery to be completed and scheduling conflicts." This statement rings hollow and borders on disingenuous where, as here, the only discovery even initiated to date is defendant's service of initial disclosures. The parties' stipulation for a 90-day continuance of the discovery plan and scheduling order deadlines is therefore denied. The court will grant a 45-day extension in recognition of the parties' civility to one another. However, the parties are advised that any further request for an extension will be scrutinized for a strong showing that despite the exercise of due diligence the parties were unable to comply with the deadlines despite the extended time allowed.


**IT IS ORDERED:**

1. The parties' Stipulation to Extend (ECF No. 12) is **DENIED**. The following discovery plan and scheduling order dates shall apply:

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- a. Last date to complete discovery: **May 28, 2018.**
  - b. Last date to amend pleadings and add parties: **February 26, 2018.**
  - c. Last date to file interim status report: **March 28, 2018.**
  - d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **March 28, 2018.**
  - e. Last date to disclose rebuttal experts: **April 27, 2018.**
  - f. Last date to file dispositive motions: **June 27, 2018.**
  - g. Last date to file joint pretrial order: **July 27, 2018.** In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.
2. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.
3. Applications to extend any dates set by this discovery plan and scheduling order shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend discovery shall be received no later than **May 7, 2018**, and shall fully comply with the requirements of LR 26-4.

DATED this 8th day of February, 2018.

  
PEGGY A. ZEEN  
UNITED STATES MAGISTRATE JUDGE