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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JUANITTA DARLYNN,

Plaintiff,

v.

DEPARTMENT OF THE AIR FORCE, ET. AL.,

Defendants.

Case No.: 2:17-cv-02800-JAD-VCF

**STIPULATION AND ORDER TO
EXTEND STAY
(Sixth Request)**

ECF No. 55

Plaintiff, Juanitta Darlynn (hereafter, "Plaintiff"), and Defendant, Department of the Air Force, et al. (hereafter, "Defendant"), by and through their respective counsel, stipulate and agree as follows:

1. Plaintiff has an open workers compensation case and in connection therewith has requested two Independent Medical Examinations (IME).
2. The insurer never responded to Plaintiff's initial request for an IME and on September 25, 2020, Plaintiff filed an appeal of the defacto denial of the request for an IME. That appeal was set for hearing on February 23, 2021 and at the hearing, the Hearing Officer ordered the workers compensation insurer to approve and schedule the IME. The Order relating to that hearing was dated March 10, 2021. However, neither party has been able to find a medical provider to perform that IME.
3. On May 18, 2021 Plaintiff sent the insurer another request for an IME with Dr. Thomas Shang. The insurer never responded to Plaintiff's request for that IME and on June 22, 2021 Plaintiff filed an appeal of the defacto denial of the request for an



1 IME. That appeal was originally set to be heard by a Hearing Officer on September
2 28, 2021 but the parties stipulated to waive the hearing before the Hearing Officer
3 level and proceed directly to the Appeals Officer level. The Appeals Officer hearing
4 was originally set for November 8, 2021 but was reset to March 29, 2021. See Exhibit
5 1 attached hereto.

- 6 4. Plaintiff's 5th Request for Stay (Document 54) noted Plaintiff's workers
7 compensation attorney was trying to resolve Plaintiff's workers compensation case
8 by having the employer's counsel stipulate to Plaintiff undergoing a Permanent
9 Partial Disability (PPD) evaluation during which she would be evaluated, and her
10 injuries apportioned. However, to date, those efforts have stalled.
- 11 5. The results of the IME and/or PPD will be important to how potential future
12 proceedings regarding this matter will be conducted.
- 13 6. The parties have agreed to extend the stay regarding this matter an additional 150
14 days (until May 12, 2022 to allow sufficient time following the March 29, 2022
15 hearing for the workers compensation case to proceed).

16 This is the sixth request to extend the stay in this matter and the extension is not requested
17 for the purpose of delay or to cause undue prejudice to any party.

18 DATED this 10th day of December, 2021.

DATED this 10th day of December, 2021.

19 **GGRM LAW FIRM**


20 */s/ William T. Martin, Esq.*

/s/ Troy K. Flake, Esq.

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26 **IT IS SO ORDERED.**

27 
 28 _____
 U.S. District Judge Jennifer A. Dorsey
 Dated: December 14, 2021

