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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 TERRELL DESHON KEMP, SR.,
14 Plaintiff,
15 vs.
16 LAS VEGAS METROPOLITAN POLICE
17 DEPARTMENT, et al.,
18 Defendants.

CASE NO: 2:18-cv-00169-RFB-BNW

**STIPULATION TO EXTEND
DISCOVERY
(Sixth Request)**

19 COMES NOW, Plaintiff Terrell Deshon Kemp, Sr., (“Plaintiff”), by and through his
20 counsel, the law firm of Hatfield & Associates, Ltd., appearing pro bono publico, and
21 Defendants Las Vegas Metropolitan Police Department, Sgt. Gregory Dawson, Captain Nita
22 Schmidt and Officer Hugh Hardy, (“LVMPD Defendants”) by and through their counsel, the law
23 firm of Kaempfer Crowell, and Defendants Larry Williamson, M.D., Ashley, Komacsar,
24 Director of Nursing, and NaphCare, Inc. (“NaphCare Defendants”) by and through their counsel,
25 the law firm of Lewis Brisbois Bisgaard & Smith, LLP, hereby stipulate and agree to extend the
26 the discovery deadlines set forth in the Stipulation and Order to Extend Discovery (Fifth
27 Request) (ECF #79) to December 31, 2020, pursuant to LR IA 6-1 and LR 26-4 for the reasons
28 provided below. This is the parties’ sixth request for an extension of discovery deadlines.

1 Discovery closes on October 23, 2020. The last day to file Dispositive Motions is
2 November 23, 2020.

3
4 **1. DISCOVERY COMPLETED TO DATE:**

5 A. Plaintiff served Initial Disclosures on Defendants on February 5, 2019, and First
6 Supplemental Disclosures on November 25, 2019.

7 B. NaphCare Defendants served Initial Disclosures on Plaintiff and LVMPD
8 Defendants on March 28, 2019, and First Supplemental Disclosures on June 22, 2020.

9 C. LVMPD Defendants served Initial Disclosures on Plaintiff and NaphCare
10 Defendants on April 12, 2019.

11 D. NaphCare Defendants served discovery on Plaintiff in the form of Interrogatories
12 on May 31, 2019 and Requests for Production on June 4, 2019.

13 E. LVMPD Defendants served Initial Expert Disclosure on Plaintiff and NaphCare
14 Defendants on July 25, 2019 and Supplemental Expert Disclosure on August 24, 2019.

15 F. LVMPD Defendants served discovery on Plaintiff in the form of Interrogatories
16 and Requests for Admissions on October 2, 2019.

17 G. NaphCare Defendants served Initial Expert Disclosure on Plaintiff and LVMPD
18 Defendants on August 24, 2020.

19 H. Plaintiff served discovery on LVMPD Defendants in the form of Interrogatories
20 and Requests for Production of Documents on September 21, 2020, and Interrogatories on
21 Defendant Officer Hardy on September 21, 2020.

22 I. Plaintiff served discovery on NaphCare Defendants in the form of Interrogatories
23 and Requests for Production of Documents on September 21, 2020, and Interrogatories on
24 Defendant Dr. Larry Williamson on September 21, 2020.

1 J. NaphCare Defendants deposed Plaintiff on June 30, 2020, which deposition was
2 continued to August 19, 2020.

3 **2. DISCOVERY YET TO BE COMPLETED:**

4 A. Plaintiff intends to take the depositions of each of the Defendants' Person Most
5 Knowledgeable ("PMK") as well as Defendant Officer Hardy and Defendant Dr. Williamson.

6 **3. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED.**

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8 Good cause exists for this extension, as the current coronavirus/COVID-19 pandemic has
9 caused, and continues to cause, disruption to the practices of counsel involved in this case. The
10 parties have been diligent in conducting discovery. Discovery closes on October 23, 2020.
11 Plaintiff's counsel requires to take the depositions of Defendants' PMKs which has been difficult
12 to arrange as this is a pro bono case and funding must be approved. The parties respectfully
13 request that the discovery deadlines in this matter be extended to December 31, 2020. This is the
14 sixth request for an extension, which is made in good faith and joined by all the parties and not
15 for the purposes of delay. Moreover, since this request is a joint request, neither party will be
16 prejudiced.
17

18 **4. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY AND OTHER**
19 **DISCOVERY DEADLINES.**

20 A. On May 11, 2020, this Court ordered that the last date to complete discovery
21 would be October 23, 2020, that the last day to file dispositive motions would be November 23,
22 2020, and that the last day to file a pretrial order would be December 23, 2020. The parties
23 stipulate and agree to a proposed extension of discovery to December 31, 2020, which would
24 result in the following proposed rescheduled discovery dates:
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B. Summary of Proposed Changes

	Current Deadline	Revised Deadline
Close of Discovery	October 23, 2020	December 31, 2020
Dispositive Motions	November 23, 2020	February 1, 2020 as the 30th day after close of discovery is January 30, 2020 which is a Saturday.
Pretrial Order	December 23, 2020	March 3, 2021

Dated this 2nd day of October 2, 2020

Dated this 2nd day of October, 2020

HATFIELD & ASSOCIATES

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/s/ Trevor J. Hatfield

/s/ Katherine J. Gordon

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 Attorneys for Defendants Larry Williamson,
 M.D., Ashley Komacsar, Director of Nursing,
 and NaphCare, Inc.

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Dated this 2nd day of October, 2020

KAEMPFER CROWELL

/s/Lyssa S. Anderson

By: _____
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Captain Nita Schmidt and Officer Hugh Hardy

ORDER

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated: October 6, 2020.