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6 Attorney for Defendant  
CMI Corporation  
7

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

11 TERRY CORYELL, individually,  
12 Plaintiff,

Case No.: 2:18-cv-00593-GMN-NJK

13 v.

14 UNITED STATES OF AMERICA,  
DEPARTMENT OF THE NAVY; CMI  
15 CORPORATION; TRINITY INDUSTRIES, INC.;  
DOES I – X, and ROE CORPORATIONS I – X,  
16 inclusive,  
17 Defendants.

**AMENDED STIPULATION AND  
ORDER TO EXTEND TIME  
TO RESPOND TO COMPLAINT  
(FIRST REQUEST)**

18  
19 Pursuant to LR IA 6-1 and LR IA 6-2, Plaintiff **TERRY CORYELL** and  
20 Defendant **CMI CORPORATION**, by and through their respective attorneys of record, hereby  
21 stipulate to extend the time within which Defendant **CMI CORPORATION** may respond to  
22 Plaintiff’s Complaint, as follows;

23 WHEREAS Defendant **CMI CORPORATION** is presently required to respond to  
24 Plaintiff’s Complaint on or before May 29, 2018;

25 WHEREAS the parties submitted a Stipulation on May 29, 2018, which was denied  
26 without prejudice on May 30, 2018;

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1 WHEREAS the specific manufacture date and identifying information of the subject  
2 product have not yet been determined to allow Defendant to meaningfully respond to Plaintiff's  
3 Complaint;

4 WHEREAS the parties agree that additional time is needed for Defendant to be able to  
5 gather information for a meaningful response to Plaintiff's Complaint;

6 WHEREAS Plaintiff has agreed that Defendant **CMI CORPORATION** may be allowed  
7 an additional thirty (30) calendar days within which to respond;

8 WHEREAS an additional thirty days for Defendant **CMI CORPORATION** to respond  
9 to Plaintiff's Complaint will not alter the date of any event or deadline already fixed by Court  
10 order;

11 WHEREAS this is the first request for an extension of this deadline, and the Court has  
12 not granted any previous extensions of the deadline;

13  
14 NOW, THEREFORE IT IS HEREBY STIPULATED by and between the parties hereto,  
15 that Defendant **CMI CORPORATION** will respond to Plaintiff's Complaint on or before June  
16 28, 2018.

17  
18 DATED this 30th day of May, 2018.

19 /s/ Samantha A. Martin  
Samantha A. Martin, Esq.  
20 RICHARD HARRIS LAW FIRM  
801 S. Fourth St.  
21 Las Vegas, NV 89101  
22 Attorney for Plaintiff

/s/ Howard J. Russell  
Howard J. Russell, Esq.  
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Attorney for Defendant CMI Corporation

23  
24  
25 **IT IS SO ORDERED:**

26   
UNITED STATES MAGISTRATE JUDGE  
27 DATED: June 1, 2018