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7 Attorneys for Plaintiff
 8 Johnny L. Kendrick, Jr.

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

11 JOHNNY L. KENDRICK, JR.,)

12 Plaintiff,)

13 v.)

14 CLARK COUNTY, a political subdivision of)
 15 the State of Nevada; JOHN MARTIN in his)
 16 official and/or individual capacities; PATRICK)
 17 SCHREIBER in his official and/or individual)
 18 and/or individual capacities; and, SANDY)
 19 JEANTETE, in her official and/or individual)
 Defendants.)

Case No.: 2:18-cv-00781-JAD-GWF

STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER

(First Request)

20 Pursuant to Local Rules IA 6-1 and 26-4, Plaintiff JOHNNY L. KENDRICK (“Plaintiff”)
 21 by and through its counsel, Kemp & Kemp, and Defendant CLARK COUNTY (“Defendant”),
 22 by and through its counsel, Clark County District Attorney, hereby stipulate to amend the
 23 Discovery Plan and Scheduling Order (ECF No. 24) by extending the outstanding discovery
 24 deadlines for a period of sixty (60) days. This is the first request for an extension to the discovery
 25 plan and scheduling order in this matter. The requested extension is sought in good faith and not
 26 for purposes of delay.
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REASONS FOR REQUESTING EXTENSION

The parties have worked diligently and cooperatively in resolving discovery issues in this matter so as to avoid intervention by the Court. This includes, but is not limited to, allowing additional time to answer formal written discovery requests. Currently, the parties are engaged in amicable discussions to resolve issues surrounding the production of non-party employee comparator files and finalizing a negotiated protective order. Production of these comparator files is critical to prosecute and/or defend this case and requires the utmost care to protect any possible privacy concerns of the non-party employee comparators. In addition, the parties have engaged in further settlement discussions. If this matter could be resolved, this would save the parties and the Court valuable time and resources. Finally, Plaintiff’s counsel has two (2) trials set for the month of April (one in Federal Court and one in State Court), and Defendant’s counsel has trial set for the month of May.

1. DISCOVERY COMPLETED TO DATE:

Plaintiff:

Initial disclosures to Defendant	September 12, 2018
First supplemental disclosures to Defendant	November 16, 2018
First set of written discovery to Defendant	January 18, 2019
Second supplemental disclosures to Defendant	February 11, 2019
Expert Witness Disclosure	February 11, 2019
Responses to Defendant’s written discovery	February 11, 2019

Defendant:

Initial disclosures to Plaintiff	September 10, 2018
First set of written discovery to Plaintiff	January 4, 2019
First supplemental disclosures to Plaintiff	December 28, 2019

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

2 Both Plaintiff and Defendant have depositions to conduct. Plaintiff will be able to
 3 schedule his depositions once he has received and reviewed responses to his first set of written
 4 discovery requests. Currently, without the benefit of responses to written discovery requests,
 5 Plaintiff anticipates having to take the depositions of nine (9) individual deposition and a
 6 30(b)(6) deposition. Plaintiff will also be issuing subpoenas for records of non-party employee
 7 comparators. Defendant will take the deposition of Plaintiff. In addition, the need may arise to
 8 take the deposition of the Person Most Knowledgeable for Nevada Peace Officers Standards and
 9 Training in Carson City. Each party may also need to conduct additional written discovery.
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11 **3. PROPOSED REVISED DISCOVERY PLAN:**

12 **A. Summary of Proposed Changes**

	Current Deadline	Revised Deadline
Close of Discovery	Monday, April 22, 2019	Friday, June 21, 2019
Dispositive Motions	Wednesday, May 22, 2019	Monday, July 22, 2019
Pretrial Order	Friday, June 21, 2019	Wednesday, August 21, 2019

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17 **B. Discovery Cut-Off Date: Friday, June 21, 2019.**

18 **C. Dispositive Motions:** Dispositive motions may be filed no later than **Monday,**
 19 **July 22, 2019 (July 21, 2019 being a Sunday)**, which is not later than thirty (30) days from the
 20 discovery cut-off date. In the event that the discovery period is extended from the discovery cut-
 21 off date set forth in this Stipulation and Order to Extend Discovery Deadlines and Scheduling
 22 Order (First Request), the date for filing dispositive motions shall be extended for the same
 23 duration, to be no later than thirty (30) days from the subsequent discovery cut-off date.
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D. Pretrial Order: The pretrial order shall be filed by **Wednesday, August 21, 2019**, which is not later than thirty (30) days after the date set for filing dispositive motions. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision of the dispositive motions or until further order of the Court.

E. Additional Extensions of the Discovery Plan and Scheduling Order: The last day for the parties to file their Motion and/or Stipulation to Extend a deadline subject to this Stipulation and Order to Extend Discovery Deadlines and Scheduling Order shall be at least twenty-one (21) days before the expiration of the deadline, and comply fully with LR 26-4.

Dated: March 27, 2019.

Dated: March 27, 2019.

Respectfully submitted,

Respectfully submitted,

/s/ Victoria L. Neal
JAMES P. KEMP, ESQ.
VICTORIA L. NEAL, ESQ.
KEMP & KEMP

/s/ Scott R. Davis
STEVEN B. WOLFSON
DISTRICT ATTORNEY
SCOTT R. DAVIS
DEPUTY DISTRICT ATTORNEY

Attorneys for Plaintiff
JOHNNY KENDRICK, JR.

Attorneys for Defendant
CLARK COUNTY, JOHN MARTIN, PATRICK
SCHREIBER, and SANDY JEANTETE

ORDER

IT IS SO ORDERED.

Dated: March 28, 2019.



HON. GEORGE W. FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE