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

12 LUCINDA ORTIZ, an Individual,

Case No.: 2:18-cv-01012-JAD-NJK

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 15 Plaintiff,

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 17 vs.

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 19 BODEGA LATINA CORPORATION, d/b/a
 20 EL SUPER, a California Corporation;
 DOES I-X; and ROE BUSINESS
 21 ENTITIES XI-XX, inclusive,

22 Defendants.
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25 **STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES**

26 **[FIRST REQUEST]**

27 Plaintiff Lucinda Ortiz, by and through her counsel of record, Jamie H. Corcoran,
 28 Esq., of Bernstein & Poisson and Defendant Bodega Latina Corporation, dba El Super,

STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES (FIRST REQUEST)
 - PAGE 1 OF 4 -

1 by and through its counsel of record, Bernadette A. Rigo, Esq., and pursuant to Local
2 Rule 26-4, stipulate to modify their discovery plan as follows:

3 1. Plaintiff filed her Complaint on April 30, 2018 in the Eighth Judicial District
4 Court, Case No. A-18-773721-C. This case was removed to the United States District
5 Court on June 4, 2018.

6 2. The parties held their F.R.C.P. 26 conference on June 20, 2018 and filed
7 their Stipulated Discovery Plan and Scheduling Order on June 27, 2018. In this original
8 plan, the parties agreed to the following dates:

9	Last Day to Amend Pleadings:	09/11/2018
10	Expert Disclosure Deadline:	10/11/2018
11	Interim Status Report Deadline:	10/11/2018
12	Rebuttal Expert Disclosure:	11/12/2018
13	Last Day to Amend DPSO:	11/19/2018
14	Discovery Cut-Off:	12/10/2018
15	Dispositive Motions Deadline:	01/09/2019
16	Pre-Trial Order:	02/08/2019

17 The initial discovery plan was signed by United States Magistrate Judge Nancy J.
18 Koppe on June 28, 2018.

19 3. In compliance with Local Rule 26-4, the parties provide the following
20 information regarding the discovery status:

21 (a) Discovery Completed pursuant to Fed. R. Civ. P. 26(a):

22 **Defendants:**

23	Defendant's Initial Disclosure	06/20/2018
24	Defendant's Interrogatories to Plaintiff	06/26/2018
25	Defendant's Request for Production to Plaintiff	06/26/2018
26	Defendant's Request for Admissions to Plaintiff	06/26/2018
27	Defendant's First Supplemental Disclosure	07/19/2018

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Plaintiffs:

Plaintiff's Initial Disclosure	06/18/2018
Plaintiff's Request for Production to Defendant	06/29/2018
Plaintiff's Interrogatories to Defendant	06/29/2018

(b) Discovery that remains to be completed:

- Defendant needs to obtain Plaintiff's remaining medical records.
- Defendant needs to schedule an Independent Medical Examination of Plaintiff.
- The parties need to designate experts and rebuttal experts and exchange reports.
- The parties need to conduct the depositions of Plaintiff and Defendant.
- The parties need to conduct the depositions of Plaintiff's experts and Defendant's experts.

(c) Reasons why discovery was not completed:

It took longer than expected to obtain all of Plaintiff's medical records and defendant is still awaiting receipt of requested medical records and imaging studies from the radiologists and medical providers. Defendant has received approximately 45% of the records it requested. As a result of the delay in receiving the medical records, Plaintiff's deposition is not being scheduled until September 2018, which the parties believe is not sufficient time to consult with and potentially retain experts by the current initial expert disclosure date of October 11, 2018.

The parties propose a 90-day extension to complete the remaining discovery.

Those dates will be:

Last Day to Amend Pleadings:	12/10/2018
Expert Disclosure Deadline:	01/09/2019
Interim Status Report Deadline:	01/09/2019
Rebuttal Expert Disclosure:	02/08/2019
Last Day to Amend DPSO:	02/15/2019

21 days before expiration of the subject deadline.

1 Discovery Cut-Off: 03/11/2019
2 Dispositive Motions Deadline: 04/09/2019
3 Pre-Trial Order: 05/09/2019
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5 If dispositive motions are filed, the deadline for filing the joint pretrial order will be
6 suspended until 30 days after decision on the dispositive motions or further court order.

7 **CONCLUSION**

8 For the foregoing reasons, the parties herein respectfully request this Honorable
9 Court to enter its Order to Extend Discovery Plan and Deadlines.

10 Dated this 21st day of August 2018 Dated this 21st day of August 2018
11 BERNSTEIN & POISSON BAUMAN LOEWE WITT & MAXWELL
12
13 */s/ Jamie H. Corcoran* */s/ Bernadette A. Rigo*


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Attorneys for Defendant,
Bodega Latina Corporation,
dba El Super

22 **ORDER**

23 Upon Stipulation by counsel for the parties, and good cause appearing therefore,
24 **IT IS HEREBY ORDERED** that the Stipulation to Extend Discovery hereinabove is
25 hereby granted.

26 DATED August 22, 2018

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UNITED STATES MAGISTRATE JUDGE