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



11 LILIA JARRELL, individually,
 12 Plaintiff,

13 vs.

14 WAL-MART STORES, INC.; WALMART
 15 INC. d/b/a WALMART #2593; DOES 1
 16 through 100 and ROE CORPORATIONS 1
 through 100, inclusive,
 17 Defendants.

Case No.: 2:18-cv-01219-APG-VCF

**STIPULATION AND ORDER TO
 CONTINUE TRIAL (FIRST REQUEST)**

19 Plaintiff LILIA JARRELL (“Plaintiff”), by and through her attorneys of record,
 20 FARHAN R. NAQVI and PAUL G. ALBRIGHT of the law firm NAQVI INJURY LAW, and
 21 Defendants WAL-MART STORES, INC.; WALMART INC. d/b/a WALMART #2593
 22 (hereinafter collectively referred to as “Defendant Walmart”), by and through their attorneys of
 23 record, ROBERT K. PHILLIPS and TIMOTHY D. KUHLs of the law firm PHILLIPS,
 24 SPALLAS & ANGSTADT, LLC, submit this **STIPULATION AND ORDER TO**
 25 **CONTINUE TRIAL (FIRST REQUEST)** pursuant to LR 26-3 for the Court’s consideration.
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1 The parties represent that good cause exists for continuing the current trial date. The
2 parties have diligently prosecuted and defended this case, only requesting **one** brief 60 day
3 extension in discovery after Defendant Walmart received new defense counsel. However, the
4 parties recently participated in a mandatory settlement conference on October 2, 2020, and while
5 the case did not resolve, progress was made towards potential resolution. Based on the issues
6 discussed during the October 2, 2020 settlement conference, the parties anticipate forthcoming
7 motion practice on limited issues that could significantly advance settlement discussions.
8 However, the parties will need these issues to be heard and decided before meaningful
9 settlement discussions can resume. With trial currently scheduled for November 16, 2020, there
10 is not sufficient time for this Court to decide the forthcoming motions while still providing the
11 parties with enough time to resume meaningful settlement discussions before trial, particularly
12 when the parties will be preoccupied with preparing for this trial, which involves an immense
13 amount of documents, experts, medical providers, and lay witnesses.
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16 The interests of efficiency and judicial economy merit a brief continuance of the trial in
17 this matter. With the COVID-19 pandemic limiting the time and resources of this Court,
18 counsel and the parties, providing the parties with the opportunity to continue pursuing
19 settlement discussions could avoid the need for this matter to consume the Court's valuable time
20 and resources, both before trial and with the trial itself, which is anticipated to take 10-14 full
21 judicial days to complete. Similarly, by narrowing the issues to be determined in the immediate,
22 the parties will not continue to incur unnecessary costs associated with litigation that could
23 negatively impact the parties' ability to resolve this matter prior to trial. Moreover, granting this
24 Stipulation will open the door for another unresolvable case in the crowded trial stack to proceed
25 to trial in a more timely manner. Lastly, in the event the parties are unable to resolve this matter,
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1 they will require some time to determine the availability and travel capabilities of various
2 witnesses and experts that reside out of state.

3 The current trial date is November 16, 2020 with the Calendar Call on November 10,
4 2020 at 8:45 a.m. Accounting for the foregoing and the holiday season, the parties respectfully
5 request that the trial in this matter be continued to April 1, 2020, or as soon thereafter as this
6 matter may be heard, so as to allow the parties an adequate opportunity to further pursue
7 resolution, as detailed above. The parties likewise request a continuance of all other deadlines
8 associated with trial in accordance with the new trial date, including the deadline for filing
9 motions in limine. This Stipulation to Continue Trial is made in good faith and not for purposes
10 of delay.
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12 DATED this 14th of October, 2020.

DATED this 14th of October, 2020.

13
14 NAQVI INJURY LAW
15 /s/ Paul G. Albright
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Las Vegas, Nevada 89101
Attorneys for Defendants

20 **IT IS SO ORDERED:**

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22 The jury trial currently set for November 16, 2020 is vacated and continued to April 19, 2021
23 at 9:00 a.m. in LV Courtroom 6C. Calendar call currently set for November 10, 2020 is
24 vacated and continued to April 13, 2021 at 8:45 a.m. in LV Courtroom 6C. Motions in limine
25 deadline is continued to February 19, 2021.

26 DATED: October 14, 2020

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28 **ANDREW P. GORDON**
UNITED STATES DISTRICT JUDGE

