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 9 DANIEL ANDREWS

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEVADA (LAS VEGAS)

DANIEL ANDREWS,

 Plaintiff,

 v.
 CITY OF HENDERSON, a Nevada
 Municipal Corporation; PHILLIP
 WATFORD, KARL LIPPISCH,

 Defendants.

CASE NO.: 2:18-cv-01625-RFB-BNW

**STIPULATION AND PROPOSED ORDER
 TO EXTEND JOINT PRETRIAL ORDER
 FILING DATE**

(FIFTH REQUEST)

Plaintiff, DANIEL ANDREWS (“Andrews”) and Defendants CITY OF HENDERSON,
 KARL LIPPISCH, and PHILLIP WATFORD (“Defendants”), by and through their counsel,
 hereby stipulate and agree to extend the remaining Pretrial Conference and Joint Pretrial Order
 Filing date as follows:

1. On January 16, 2019, the United States District Court filed its Scheduling Order [#21].
2. On January 23, 2019, the parties jointly filed their Proposed Discovery Plan and Scheduling Order [#24].
3. On February 12, 2019, the parties filed a first request for an extension as it relates to expert disclosures, Interim Status Report, and the Discovery Cut-Off dates [#27].

1 4. On February 13, 2019, the United States District Court filed its Order [#28],
2 granting the stipulated extension of the expert disclosure, Interim Status Report, and the Discovery
3 Cut-Off dates.

4 5. On May 13, 2019, the parties filed a second request for an extension of the rebuttal
5 expert disclosure deadline and stipulated to stay discovery [#40], as Plaintiff's counsel was
6 scheduled to have open-heart surgery and needed at least two months to recuperate.

7 6. On May 14, 2019, the United States District Court filed its Order [#41], granting
8 the stipulated extension and the stipulation to stay discovery.

9 7. On August 29, 2019, Plaintiff filed his First Amended Complaint [#49] and added a
10 new defendant, Phillip Watford.

11 8. On September 11, 2019, Defendants City of Henderson and Karl Lippisch filed
12 their answer to the amended complaint [#56].

13 9. On October 21, 2019, Plaintiff served his amended complaint on Phillip Watford.
14 Phillip Watford filed his answer to the amended complaint on November 12, 2019 [#64].

15 10. On November 14, 2019, the parties filed a third request for an extension of time as
16 it related to the Discovery Cut-Off, Dispositive Motion deadline, and the proposed Joint Pretrial
17 Order deadline [#66].

18 11. On November 14, 2019, the United States District Court filed its Order [#67],
19 granting the stipulated extension of the Discovery Cut-Off, Dispositive Motion deadline, and the
20 proposed Joint Pretrial Order dates.

21 12. On January 21, 2020, Defendants filed their Motion for Summary Judgment [#68],
22 which was denied in part by the Court on September 25, 2020 [#80].

23 13. On October 15, 2020, Defendants filed their Notice of Appeal to the U.S. Court of
24 Appeals, Ninth Circuit [#81].

25 14. On June 14, 2022, the U.S. Court of Appeals filed its Mandate [#85], affirming this
26 Court's Order.
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1 15. In early 2022, the Defendants’ attorney was unexpectedly out of state for three
2 months due to a family emergency. Additionally, Defendants’ attorney was out of the state for
3 one month after the Mandate was filed and has just recently returned to the office.

4 16. On July 22, 2022, a Stipulation and Order extending the Pretrial Order deadlines
5 was granted [#89] to a Pretrial Conference on August 22, 2022 and the filing of the Pretrial Order
6 to August 29, 2022.

7 17. Plaintiff’s counsel suffered from an infection that his physician at Horizon View
8 Medical Center performed a Covid test which turned out to be negative. Nevertheless, he is
9 suffering flu like symptoms. Defense counsel was amendable to extending the conference from
10 August 22, 2022 to August 25, 2022. The parties attended a telephonic conference on August 25,
11 2022 at 4:00 p.m. and discussed various aspects of the Pretrial Order, as well as the parties desire
12 to schedule a Settlement Conference with a Magistrate Judge.

13 18. Plaintiff emailed to Defense counsel a draft of the Joint PreTrial Order for review
14 and defendants’ changes/ additions. Accordingly, the parties are requesting an additional three
15 weeks to September 20, 2022 to file the Joint Pretrial Order.

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1 All parties, as indicated by the signature of counsel below, agree and stipulate to:

- 2 a. Extending the deadline to file the Joint Pretrial Order to September 20, 2022; and
3 b. Scheduling a Settlement Conference before a Magistrate Judge.

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5 Dated this 29th day of August, 2022.

Dated this 29th day of August, 2022.

6 CITY OF HENDERSON

PETER GOLDSTEIN LAW CORP

7 /s/ Michael Oh

/s/ Peter Goldstein

8 _____
9 MICHAEL J. OH
10 Senior Assistant City Attorney
11 Nevada Bar No. 7470
12 WADE B. GOCHNOUR
13 Assistant City Attorney
14 Nevada Bar No. 6314
15 240 Water Street, MSC 144
16 Henderson, NV 89015
17 *Attorneys for Defendants*

18 *CITY OF HENDERSON, KARL LIPPISCH,
19 and PHILLIP WATFORD*

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Attorney for Plaintiff
DANIEL ANDREWS

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ORDER

IT IS ORDERED that ECF No. 92 is GRANTED.

The parties are advised that the Court will issue a separate
Settlement Conference Scheduling Order.

IT IS SO ORDERED

DATED: 12:42 pm, August 31, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE



Jeremy Perez <staff@petergoldsteinlaw.com>

Fwd: PROPOSED SAO TO EXTEND DATE FOR PRTRIAL ORDER

1 message

Peter Goldstein <peter@petergoldsteinlaw.com>
To: Staff PGLAW <Staff@petergoldsteinlaw.com>

Mon, Aug 29, 2022 at 11:53 AM



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----- Forwarded message -----

From: **Michael Oh** <Michael.Oh@cityofhenderson.com>

Date: Fri, Aug 26, 2022 at 4:59 PM

Subject: Re: PROPOSED SAO TO EXTEND DATE FOR PRTRIAL ORDER

To: Peter Goldstein <peter@petergoldsteinlaw.com>

Hi Peter,

The stipulation looks fine and you may use my electronic signature

Hope you are feeling better. Have a great weekend.

Thank you
Michael Oh

Get [Outlook for iOS](#)

From: Peter Goldstein <peter@petergoldsteinlaw.com>

Sent: Friday, August 26, 2022 9:35:17 AM

To: Michael Oh <Michael.Oh@cityofhenderson.com>

Subject: PROPOSED SAO TO EXTEND DATE FOR PRTRIAL ORDER

EXTERNAL EMAIL – USE CAUTION

Michael

Let me know if I have your authority to file with your e signature.



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 [City of Henderson Survey](#)

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