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

11 DELBERT M. GREENE,

12 Plaintiff,

13 v.

14 STATE OF NEVADA, *et al.*,

15 Defendants.

Case No. 2:19-cv-01529-APG-MDC

**JOINT SITUATION TO EXTEND
 ALL DEADLINES**

(SECOND REQUEST)

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 17 Defendants Renee Baker and E.K. McDaniel and Plaintiff Delbert Greene, by and
 18 through their respective counsel, submit this Stipulation and Proposed Order to Extend all
 19 Deadlines by an additional thirty (30) days. This is the second request to extend deadlines
 20 in this matter. The Parties have agreed to the extension for the reasons set forth below.

21 **PROCEDURAL BACKGROUND**

22 Plaintiff filed his Amended Complaint in this case on July 15, 2020. (ECF No. 11.)
 23 Despite lack of service, Defendants Renee Baker and E.K. McDaniel filed their Motion to
 24 Dismiss on July 28, 2021 (ECF No. 37). On March 31, 2022, the Court denied the Motion
 25 to Dismiss ordering the Plaintiff to show cause why his claims should be equitably tolled
 26 and providing Defendants Baker and McDaniel with an opportunity to respond (ECF No.
 27 45). On October 24, 2022, the Court denied Defendant Baker and McDaniel's motion to
 28 dismiss (ECF No. 37) and Plaintiff's motion for temporary restraining order (ECF No. 48)

1 but granted Plaintiff's motion for appointment of counsel (ECF No. 61). ECF No. 63. The
2 Court referred the matter to the pro bono program on October 24, 2022 (ECF No. 64).
3 Defendants Baker and McDaniel filed an Answer to the First Amended Complaint on
4 March 28, 2023. (ECF No. 75.) On April 28, 2023, the Court issued an order to extend case
5 management deadlines so as to allow time for pro bono counsel to be appointed for Plaintiff.
6 (ECF No. 83.) Pro bono counsel entered an appearance on behalf of Plaintiff on June 2,
7 2023. (ECF No. 84.)

8 On July 31, 2023, the Court entered an order granting a Joint Request to Extend all
9 Deadlines (First Request) (ECF No. 87). Since that time, the parties participated in a Rule
10 26 Conference and made Initial Disclosures. A Discovery Plan and Scheduling Order was
11 issued on January 2, 2024 (ECF No. 91). In November 2023, Defendants served Plaintiff
12 with interrogatories, requests for production of documents, and requests for admissions.
13 Defendants served Subpoenas Duces Tecum on healthcare providers requesting medical
14 records relating to Plaintiff. In January and February, 2024, Plaintiff made First and
15 Second Supplemental Disclosures and served Subpoenas Duces Tecum on non-parties
16 Nevada Department of Corrections and the Nevada Board of Parole Commissioners. The
17 Parties also have held several meet-and-confers and have been able to resolve conflicts
18 without court intervention to date.

19 **GOOD CAUSE TO EXTEND DISCOVERY**

20 Both parties are actively engaging in discovery and will continue to do so to ensure
21 that relevant information is obtained and exchanged in a timely manner. Because Plaintiff
22 is currently in the custody of the Nevada Department of Corrections, Defendants will be
23 filing motions for permission to conduct an IME and to take his deposition. Defendants
24 believe the IME and the deposition will provide information necessary for expert
25 disclosures.

26 The Parties have stipulated and agreed to extend all deadlines by an additional
27 thirty (30) days as set forth below. This extension will ensure that the case continues to
28 progress smoothly, and to allow both sides to address issues that may arise between them.

1 For these reasons, this stipulation is made for good cause and not for any improper motive
2 or to cause unnecessary delay.

3 The Parties hereby stipulate and agree to the following proposed deadlines in this
4 case:

Event	Existing Deadline	Proposed New Deadline
Last day to Amend Pleadings	April 30, 2024	May 30, 2024
Expert Disclosures (for party with the burden of proof on the issue)	April 2, 2024	May 2, 2024
Rebuttal Expert Disclosures	May 1, 2024	May 31, 2024
Discovery Cutoff	May 29, 2024	June 28, 2024
Discovery Motion Deadline	June 15, 2024	July 15, 2024
Dispositive Motion Deadline	June 29, 2024	July 29, 2024
Joint Proposed Pretrial Order	July 30, 2024	August 29, 2024

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1 If dispositive motions are filed, the deadline for filing the joint pretrial order will be
2 suspended until 30 days after decision on the dispositive motions or further court order.

3 **IT IS SO STIPULATED AND AGREED.**

4 DATED this 22nd day of March, 2024. DATED this 22nd day of March, 2024.

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6 **DICKINSON WRIGHT PLLC**

AARON D. FORD
Attorney General

7
8 /s/John L. Krieger

/s/Sabrena K. Clinton

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16 *Attorneys for Plaintiff*

*Attorneys for Renee Baker and E.K.
McDaniel*

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21 **IT IS SO ORDERED.**

22 Parties are reminded to use the correct
23 case number in all future filings:
24 2:19-cv-01529-APG-MDC

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Maximiliano D. Couvillier III
United States Magistrate Judge

DATED: March 26, 2024