

MCLETTCHIE LAW

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

10 TROY BENSON, an individual,  
11  
12 Plaintiff,

13 vs.

14 LAS VEGAS METROPOLITAN POLICE  
15 DEPARTMENT, in its official capacity; and  
16 JOSEPH LOMBARDO, individually and in  
17 his official capacity as Sheriff of the Las  
18 Vegas Metropolitan Police Department,

19 Defendants.

20 MARY BENSON, an individual,

21 Plaintiff,

22 vs.

23 LAS VEGAS METROPOLITAN POLICE  
24 DEPARTMENT, in its official capacity;  
25 and BRET EMPEY, in his official capacity  
26 as a Sergeant of the Las Vegas Metropolitan  
27 Police Department, and as an individual,

28 Defendants

**Case. No.: 2:21-cv-01928-RFB-BNW**

**STIPULATION AND ORDER TO**  
**CONTINUE AND RESET 05/05/2022**  
**EARLY NEUTRAL EVALUATION**  
**SESSION [ECF No. 36]**

**(THIRD REQUEST)**

**Case. No.: 2:19-cv-01949-RFB-VCF**

**STIPULATION AND ORDER TO**  
**CONTINUE AND RESET 05/05/2022**  
**EARLY NEUTRAL EVALUATION**  
**SESSION [ECF No. 36]**

**(THIRD REQUEST)**

23 Plaintiffs' TROY and Mary BENSON, and Defendants LAS VEGAS  
24 METROPOLITAN POLICE DEPARTMENT AND JOSEPH LOMBARDO (collectively  
25 "Parties") by and through their respective counsel, hereby stipulate to the following:

26 IT IS HEREBY STIPULATED that, at the initiation of Plaintiff's undersigned  
27 counsel, the Early Neutral Evaluation Session, which is currently set for May 5, 2022, at  
28 10:00 a.m. by ECF No. 36 before United States Magistrate Judge Daniel J. Albrechts be

1 vacated. The parties require more time to prepare their written Early Neutral Evaluation  
2 statements. In addition, Ms. McLetchie has competing obligations with her upcoming  
3 wedding and has also had several competing deadlines in other matters. The Parties  
4 respectfully request the Court grant their stipulation to continue the Early Neutral Evaluation  
5 Session for all these reasons.

6 IT IS FURTHER STIPULATED that the following three (3) alternative dates have  
7 been confirmed by all parties and their counsel to be available for rescheduling the Early  
8 Neutral Evaluation Session at the Court's convenience:

- 9 1. July 18<sup>th</sup>, 2022;
- 10 2. July 19<sup>th</sup>, 2022; and
- 11 3. July 28<sup>th</sup>, 2022.

12 With this resetting, the parties will be submitting their confidential written Early  
13 Neutral Evaluation statements for the Court's *in camera* review ten (10) days prior to the  
14 Early Neutral Evaluation Session, and agree to comply with all other aspects of the Court's  
15 Order Scheduling the Early Neutral Evaluation (ECF No. 20.)

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1 This request is made in good faith and is not sought for any improper purpose or  
2 for the purpose of delay.

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4 **IT IS SO STIPULATED.**

5  
6 DATED this 9<sup>th</sup> day of May 2022.

DATED this 9<sup>th</sup> day of May 2022.

7 **MCLETCHIE LAW**

**MARQUIS AURBACH**

8 /s/ Margaret A. McLetchie  
9 Margaret A. McLetchie, NBN 10931  
10 McLetchie Law  
11 602 South Tenth Street  
12 Las Vegas, NV 89101  
13 *Attorneys of Plaintiff Troy Benson*

/s/ Nicholas D. Crosby  
14 Nicholas D. Crosby, NBN 8996  
15 10001 Park Run Drive  
16 Las Vegas, Nevada 89145  
17 *Attorney for Defendants Las Vegas*  
18 *Metropolitan Police Department and Joseph*  
19 *Lombardo*

20 **ORDER**

21 **IT IS ORDERED** that the Early Neutral Evaluation scheduled for May 5, 2022 is  
22 VACATED and RESET to **Thursday, July 28, 2022 at 10:00 a.m.**

23 **IT IS FURTHER ORDERED** that the confidential evaluation statements must be  
24 submitted by Noon on Thursday, July 21, 2022.

25 **IT IS FURTHER ORDERED** that all other provisions of the Court's prior Order  
26 (ECF No. 20) entered in 2:21-cv-1928-RFB-BNW remain in effect.

27 DATED: May 10, 2022

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DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

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