

1 DOUGLAS M. COHEN (State Bar No. 1214)  
**WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**  
 2 3773 Howard Hughes Parkway, Suite 590 South  
 Las Vegas, Nevada 89169  
 3 Tel.: (702) 341-5200 / Fax: (702) 341-5300  
 Email: DCohen@wrslawyers.com

4 *Attorney for Plaintiff, Rino Tenorio*

5  
 6 **UNITED STATES DISTRICT COURT**  
 7 **DISTRICT OF NEVADA**  
 8

9 RINO TENORIO,  
 10  
 Plaintiff,  
 11  
 vs.  
 12 STATE OF NEVADA, DEPARTMENT OF  
 13 TAXATION; DOES 1 through 5; and ROE  
 BUSINESS ENTITIES 1 through 5,  
 14  
 Defendant.  
 15

Case No. 2:20-cv-00517-GMN-VCF

**STIPULATION AND ~~PROPOSED~~ ORDER  
 TO EXTEND DISCOVERY DEADLINES  
 (SECOND REQUEST)**

16 Pursuant to LR IA 6-1, 6-2 and LR 26-3, Plaintiff Rino Tenorio and Defendant State of  
 17 Nevada, Department of Taxation (“Department”), by and through their undersigned counsel,  
 18 hereby stipulate to extend the current deadlines by 90 days. This is the second stipulated request.

19 **I. DISCOVERY COMPLETED TO DATE**

20 The parties served their initial disclosures on March 17, 2021.

21 The Department served its supplemental initial disclosures on May 20, 2021. The  
 22 Department served its first amended disclosures on March 29, 2021, its second supplemental  
 23 disclosures on July 27, 2021, its third supplement disclosures on August 9, 2021, its fourth  
 24 supplemental disclosures on August 10, 2021 and its fifth supplemental disclosures on August  
 25 16, 2021.

26 The Department served its first and second requests for admissions on Plaintiff Rino  
 27 Tenorio on July 9, 2021 and September 13, 2021, served its first and second set of requests for  
 28

1 production of documents on July 9, 2021 and November 8, 2021, and served its first set of  
2 interrogatories on July 9, 2021.

3 Plaintiff Rino Tenorio served his first and second supplemental disclosures on August 25,  
4 2021, and September 1, 2021.

5 Plaintiff Rino Tenorio served his first set of interrogatories and document requests for  
6 production of documents on June 8, 2021, his second set of requests for documents on June 24,  
7 2021, his third set of requests for production of documents on July 8, 2021, and his second set of  
8 interrogatories on September 7, 2021.

9 The parties served responses to written discovery requests.

10 Plaintiff made his expert disclosures on October 14, 2021.

11 Defendant made its rebuttal expert disclosures on November 15, 2021.

## 12 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

13 The Department plans to take the deposition of Rino Tenorio, other witnesses, and may  
14 make additional discovery requests.

15 Plaintiff anticipates taking the depositions of several State employees and former  
16 employees concerning the allegations of sexual orientation discrimination and retaliation and  
17 may make additional discovery requests.

## 18 **III. REASONS WHY DISCOVERY CANNOT BE COMPLETED WITHIN THE** 19 **CURRENT DEADLINES**

20 Plaintiff's counsel has suffered the occurrence of a severe and painful multi-level lumbar  
21 disc condition necessitating scheduled surgery on December 2, 2021, and additional follow-up  
22 lumbar surgery; and as a result, he cannot complete discovery on the Plaintiff's behalf before the  
23 current December 13, 2021, deadline given the number of witnesses, the number of anticipated  
24 depositions and the review of the documents produced by the Department totaling 4679 pages.  
25 Plaintiff's counsel and the Department's counsel coordinated a 10 witness deposition schedule  
26 for October 22, 2021 through October 27, 2021; however, Plaintiff's counsel vacated the  
27 depositions based on the occurrence of a severe and painful multi-level lumbar disc condition.  
28

1 **IV. ~~PROPOSED~~ SCHEDULE FOR COMPLETING DISCOVERY**

2 Plaintiff’s counsel has requested and the Department’s counsel have agreed to extend the  
3 discovery deadline by 90 days for good cause based on counsel’s severe lumbar condition to  
4 allow the parties to complete the remaining discovery.

5 **A. Discovery cut-off date**

6 The current discovery deadline, December 13, 2021, will be extended by 90 days to  
7 March 14, 2022.

8 **B. Last day to amend the pleadings and add parties**

9 No change.

10 **C. Expert disclosure deadlines**

11 Last day for initial expert disclosures: No change. Plaintiff served his expert disclosure  
12 on October 14, 2021.

13 Last day for rebuttal expert disclosures: No change. The Department served its rebuttal  
14 disclosure on November 15, 2021.

15 **D. Last day to file dispositive motions**

16 April 14, 2022. This is 30 days after the March 14, 2022, discovery cut-off date.

17 **E. Last day to file joint pretrial order**

18 May 16, 2022 (unless suspended by the filing of dispositive motions). This is 30 days  
19 after the proposed dispositive motion deadline.

20 Dated this 16th day of November, 2021.

21 **WOLF, RIFKIN, SHAPIRO  
SCHULMAN & RABKIN, LLP**

22 By: /s/ Douglas M. Cohen  
23 Douglas M. Cohen, Esq. (SBN 1214)

24 *Attorneys for Plaintiff*  
25 *Rino Tenorio*

26 IT IS SO ORDERED.

27   
28 Cam Ferenbach  
United States Magistrate Judge

DATED 11-16-2021

Dated this 16th day of November, 2021.

**AARON D. FORD  
Attorney General**

By: /s/ Sabrina K. Clinton  
Steve Shevorski, Esq. (SBN 8256)

Chief Litigation Counsel  
Akke Levin, Esq. (SBN 9102)  
Senior Deputy Attorney General  
Sabrena K. Clinton, Esq. (SBN 6499)  
Deputy Attorney General  
*Attorneys for Defendant*  
*State of Nevada, Department of Taxation*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 16th day of November 2021, a true and correct copy of  
3 **STIPULATION AND PROPOSED ORDER TO EXTEND DISCOVERY DEADLINES**  
4 **(SECOND REQUEST)** was served via the United States District Court CM/ECF system on all  
5 parties or persons requiring notice.

6 By /s/ Danielle Fresquez  
7 Danielle Fresquez, an Employee of  
8 WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
9 RABKIN, LLP  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28