

**KIMBALL JONES, ESQ.**

Nevada Bar No.: 12982

**SIRIA L. GUTIERREZ, ESQ.**

Nevada Bar No.: 11981

**BIGHORN LAW**

2225 E. Flamingo Road

Building 2, Suite 300

Las Vegas, NV 89119

Phone: (702) 333-1111

Email: [Kimball@BighornLaw.com](mailto:Kimball@BighornLaw.com)

[Siria@BighornLaw.com](mailto:Siria@BighornLaw.com)

*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

EDNA SANDRA BOCK-KASMINOFF, an individual,

Plaintiff,

v.

WALMART, INC., a Foreign Corporation DBA WALMART SUPERCENTER #5259; DOE STORE MANAGERS I through X; DOE STORE ASSOCIATES I through X; DOE MAINTENANCE ASSOCIATES I through X; DOE JANITORIAL ASSOCIATES I through X; DOES I - X; ROE MAINTENANCE COMPANIES XI through XX; inclusive, jointly and severally,

Defendants.

Case No.: 2:20-cv-00949-JAD-EJY

**STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES (Second Request)**

Pursuant to LR 26-3, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, EDNA SANDRA BOCK-KASMINOFF, by and through her attorneys, KIMBALL JONES, ESQ. and SIRIA L. GUTIERREZ, ESQ., of BIGHORN LAW, and Defendant, WALMART, INC., by and through their attorneys, ROBERT K. PHILLIPS ESQ. and TIMOTHY D. KUHL, ESQ., that the discovery deadlines and continuance of trial is sought by all parties to this litigation be extended as follows:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED:**

The following discovery has been completed by the parties:

1. The parties have produced initial disclosures pursuant to FRCP Rule 26(a)(1)(A);
2. The parties have provided supplemental disclosures pursuant to FRCP Rule 26(a)(1)(A);
3. Defendants have propounded written discovery on Plaintiffs;
4. Plaintiff has responded to Defendants' written discovery;
5. Plaintiff has propounded written discovery on Defendants;
6. Defendant has responded to Plaintiffs' written discovery;
7. Independent Medical Examination of Plaintiff;
8. Site inspection of Walmart Neighborhood Market #5259 (1/27/21); and
9. Plaintiff's deposition (2/9/21).

**B. A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE COMPLETED:**

1. Designation of experts by both parties;
2. Depositions of experts;
3. Deposition of Jae Leonhardt 3/2/21;
4. Depositions of Defendant's N.R.C.P. 30(b)(6) Witness(es) tentatively scheduled for 3/3/21;
5. Potential written discovery may be propounded as follow-up to the depositions yet to be completed.
6. Any other discovery which may be determined as relevant and necessary by the parties; and

**C. THE REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED  
WITHIN THE TIME LIMITS SET BY THE DISCOVERY ORDER:**

The parties request a 60-day extension of all deadlines for the following reasons:

On January 21, 2021, after conferring with Walmart’s Counsel on the date, Plaintiff noticed Walmart’s FRCP 30(b)(6) deposition for February 2, 2021. On February 1, 2020, Walmart’s Counsel reached out to Plaintiff’s Counsel to advice that Store Manager, the appointed designee for the deposition the following day, was not available. The Store Manager is unavailable due to scheduling and ongoing inventory efforts at the store until March. Plaintiff’s expert requires the FRCP 30(b)(6) deposition in order to finalize his report. Additionally, a key witness for both sides has been subpoenaed for deposition after expert disclosures. Judicial economy and Rule 1 that the best course for the parties to continue forward is to continue the current deadlines.

The parties were unable to continue the deadlines in the 21-days before the expiration of the deadline because Plaintiff did not become aware of the need to continue the deadlines until after the 21-day deadline had lapsed. Moreover, the parties have been diligently conducting discovery to meet the deadline and in anticipation of the deadline.

**D. A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING  
DISCOVERY:**

	<b>Old Deadline</b>	<b>New Deadline</b>
Close of Discovery:	04/15/2021	06/14/2021
Disclosure of Experts:	02/15/2021	04/16/2021
Rebuttal of Experts:	03/18/2021	05/17/2021
Dispositive Motions:	05/13/2021	07/12/2021
Pretrial Order and FRCP 26(a)(3) Disclosures:	06/14/2021	08/13/2021

This request is not being made for purposes of unduly delaying discovery or the trial of this matter.

**ORDER**

IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

Dated: February 16, 2021

Dated: 2/12/2021

Dated: 2/12/21

**BIGHORN LAW**

**PHILLIPS SPALLAS & ANGSTADT LLC**

/s/ Siria L. Gutiérrez

/s/ Timothy Kuhls

**KIMBALL JONES, ESQ.**

**ROBERT K. PHILLIPS, ESQ.**

Nevada Bar No.: 12982

Nevada Bar No. 11441

**SIRIA L. GUTIERREZ, ESQ.**

**TIMOTHY D. KUHLIS, ESQ.**

Nevada Bar No.: 11981

Nevada Bar No. 13362

2225 E. Flamingo Road

504 South Ninth Street

Building 2, Suite 300

Las Vegas, NV 89101

Las Vegas, Nevada 89119

*Attorneys for Defendants*

*Attorneys for Plaintiff*