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16 OLIVE GARDEN ITALIAN RESTAURANT
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20 **UNITED STATES DISTRICT COURT**
21
22 **DISTRICT OF NEVADA**

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25 RACHEL W. KOVAR,
26 Plaintiffs,
27 vs.
28 GMRI, INC. d/b/a THE OLIVE GARDEN
29 ITALIAN RESTAURANT, a Florida foreign
30 corporation; DOE Individuals I through X;
31 and ROE Corporations and Organizations I
32 through V, inclusive,
33 Defendants.

34 CASE NO. 2:20-cv-01819-JCM-BNW

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36 **STIPULATION AND ORDER TO**
37 **EXTEND DISCOVERY DEADLINES**

38
39 **[FIRST REQUEST]**

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1 Judicial District Court Case No. A-20-820490-C. [ECF No. 1]

2 2. On September 30, 2020, Defendant answered Plaintiff's Complaint in the federal
3 court action. [ECF No. 5]

4 3. On October 13, 2020, the parties conducted an initial FRCP 26(f) conference.

5 4. On October 16, 2020, Plaintiff served her FRCP 26 Initial Disclosures on
6 Defendant.

7 5. On October 27, 2020, Defendant served its FRCP 26 Initial Disclosures on
8 Plaintiff.

9 6. On October 27, 2020, the parties filed a Stipulated Discovery Plan and Scheduling
10 Order. [ECF No. 9]

11 7. On October 29, 2020, the parties submitted the Joint Status Report as ordered by
12 ECF No. 6. [ECF No. 10]

13 8. On November 3, 2020, Plaintiff served interrogatories and requests for production
14 of documents on Defendant.

15 9. On November 11, 2020, Defendant served interrogatories, requests for admissions,
16 and requests for production of documents on Plaintiff.

17 10. On November 12, 2020, the Court denied the parties' Discovery Plan and
18 Scheduling Order [ECF No. 9] and issued the currently operative Scheduling Order. [ECF No. 11]

19 11. On December 2, 2020, Defendant served its responses to Plaintiff's written
20 discovery requests.

21 12. On December 7, 2020, Plaintiff's counsel requested, and Defendant's counsel
22 agreed to, an extension for Plaintiff to respond to Defendant's written discovery requests.

23 13. On December 28, 2020, Plaintiff served her responses to Defendant's written
24 discovery requests.

25 **DISCOVERY REMAINING**

26 1. Plaintiff will take the deposition of Defendant's employee witness involved in the
27 subject accident.

2. Defendant will take the deposition of Plaintiff.
3. The parties will designate initial expert witnesses.
4. The parties will designate rebuttal expert witnesses.
5. The parties will take the depositions of the designated expert witnesses.
6. The parties will take the depositions of any and all other witnesses garnered through discovery.
7. The parties will continue to gather relevant records.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

9 Pursuant to Local Rule 26-3, the parties aver that good cause exists for the following
10 requested extension. This Request for an extension of time is not sought for any improper purpose
11 or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing
12 sufficient time to conduct discovery. The parties are actively engaging in scheduling the
13 depositions of Plaintiff and Defendant's employee witness to the subject incident. Nonetheless, the
14 COVID-19 pandemic has slowed the parties' ability to streamline discovery.

15 Pursuant to the above, the parties have conferred and request an extension of the current
16 deadlines as they will not currently suffice for the logistics of this case.

EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND
SCHEDULING ORDER

19 LR 26-3 governs extensions of the Discovery Plan and Scheduling Order. Any stipulation
20 or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later
21 than twenty-one (21) days before the expiration of the subject deadline and must comply fully
22 with LR 26-3.

23 This is the first request for extension of time in this matter. The parties respectfully submit
24 that the reasons set forth above constitute compelling reasons for the extension.

25 The following is a list of the current discovery deadlines and the parties' proposed
26 extended deadlines:

27 | //

Abrante, Tina

From: Timothy R. O'Reilly <tor@oreillylawgroup.com>
Sent: Thursday, January 7, 2021 1:56 PM
To: Lanahan, Jennifer
Cc: Shpirt, Paul; Abrante, Tina; gchavez@gmk-law.com; Gerald Gillock; Tracie M. Jefcik
Subject: [EXT] RE: Rachel Kovar v. GMRI - Extending deadlines
Attachments: Kovar v. Olive Garden - SAO to Extend Discovery Deadlines (First Request).docx

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From: Lanahan, Jennifer <Jennifer.Lanahan@lewisbrisbois.com>
Sent: Thursday, January 7, 2021 10:49 AM
To: Timothy R. O'Reilly <tor@oreillylawgroup.com>
Cc: Shpirt, Paul <Paul.Shpirt@lewisbrisbois.com>; Abrante, Tina <Tina.Abrante@lewisbrisbois.com>; gchavez@gmk-law.com; Gerald Gillock <gillock@gmk-law.com>; Tracie M. Jefcik <TMJ@oreillylawgroup.com>
Subject: RE: Rachel Kovar v. GMRI - Extending deadlines
Importance: High

Counsel,

Pursuant to my earlier email, please see the proposed SAO to Extend Discovery Deadlines attached to this email for your review.

Jennifer



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From: Lanahan, Jennifer
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Subject: Rachel Kovar v. GMRI - Extending deadlines

Good morning Timothy,

Would you be willing to stipulate to extend the discovery deadlines by 3 months? Initial expert disclosures are already coming up on 1/28, and I don't know that that gives us enough time. Let me know. Thanks!

Jennifer R. Lanahan
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