

170 South Green Valley Parkway, Suite 300  
Henderson, Nevada 89012



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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BEDROC LIMITED, LLC,  
  
Plaintiff,  
  
vs.  
  
FIREWORKS BY GRUCCI, INC.,  
  
Defendants.

CASE NO.: 2:21-cv-00936-RFB-BNW  
  
**MOTION TO EXTEND PRETRIAL  
DEADLINES AND TO MODIFY JOINT  
DISCOVERY PLAN AND SCHEDULING  
ORDER**  
  
**(First Request)**

TO THE HONORABLE BRENDA N. WEKSLER

Defendant FIREWORKS BY GRUCCI, INC. (“Defendant”) by and through its attorney of record TYSON & MENDES LLP, respectfully submits its First Motion to Extend Pretrial Deadlines and to Modify the current Joint Discovery Plan and Scheduling Order. The parties respectfully show this Court:

1. Defendant requests that the Court extend the pretrial deadlines for Fed. R. Civ. P. 26(a)(2) disclosures of experts (initial designations & rebuttal experts), and the remaining deadlines, as set forth in the Joint Stipulated Discovery Plan & Scheduling Order (ECF No. 10), and enter the Proposed Order Extending Pretrial Deadlines and Modifying Scheduling Order attached hereto as Exhibit "A".

2. Pursuant to LR 26-4, Defendant has good cause for extension of the remaining pretrial deadlines in this case. Defendant’s motion for an extension of the

1 deadlines for Fed. R. Civ. P. 26(a)(2) disclosures of experts are in advance of the expiration  
2 of those deadlines (currently October 1, 2021 for initial expert disclosures and November 1,  
3 2021 for rebuttal experts) and are a result of excusable circumstances as Defendant requires  
4 additional time to secure an expert to inspect and value the alleged damage to the property.  
5 Defendant has contacted several companies counsel has worked with in the past concerning  
6 fire damage, but none have experience with claims to land, as opposed to actual structures.  
7 As such, counsel requests additional time to secure an expert and to coordinate with Plaintiff  
8 concerning an inspection of the property.

9 3. Pursuant to LR 26-4, Defendant's motion for stipulated extensions is requested  
10 based on the following: a) As of the date of this Motion, the following discovery has been  
11 completed: the Plaintiff and Defendant conducted their FRCP 26(f) conference; Plaintiff and  
12 Defendant each served their Initial Disclosures with initial document production, with  
13 ongoing supplementation.

14 b) As of the date of this Motion, the following discovery remains to be completed:

- 15 1. Written discovery to Plaintiff and Defendants;
- 16 2. Depositions of the parties;
- 17 3. Designation and expert and rebuttal witnesses

18 c) Defendant's motion for stipulated extensions of the deadlines for Fed. R. Civ. P.  
19 26(a)(2) are in advance of the expiration of those deadlines and are the result of excusable  
20 circumstances due to the difficulty in securing an expert with adequate fire restoration  
21 experience, concerning this type of property, to inspect and value the alleged damage to  
22 the property. In addition, Defendant will also engage in pursuing its own discovery, and  
23 extending the deadlines will ensure it has sufficient time to do so. **The parties jointly**  
24 **stipulate to and request extensions of time to designate their experts, until on or before**  
25 **December 1, 2021 and to disclose any rebuttal experts, until on or before December**  
26 **31, 2021. Defendant requests to extend the current discovery deadline to January 31,**  
27 **2022.**

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d) Defendant includes for the Court's consideration its Proposed Order Extending the Deadlines proposed herein. Defendant respectfully requests that the Court find that Defendant has demonstrated the requisite showings of advance requests and of good cause due to excusable circumstances, grant its First Motion to Extend Pretrial Deadlines and to Modify the current Order governing Pretrial Deadlines in this case, and enter the Proposed Order Extending Pretrial Deadlines attached hereto as Exhibit "A".

DATED this 10<sup>th</sup> day of September, 2021.  
TYSON & MENDES LLP

*/s/ Victoria L. Hightower*

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*Attorneys for Defendant  
Fireworks by Grucci, Inc.*

**CERTIFICATE OF SERVICE**


The undersigned, an employee of Tyson & Mendes LLP, hereby certifies that on the 10<sup>th</sup> day of September, 2021, a copy of **MOTION TO EXTEND PRETRIAL DEADLINES AND TO MODIFY JOINT DISCOVERY PLAN AND SCHEDULING ORDER (First Request)**, was served electronically to all parties of interest through the CM/ECF electronic filing system.

**Order**

*/s/ Allison Zeason*  
\_\_\_\_\_  
An employee of Tyson & Mendes LLP

IT IS ORDERED that ECF No. 12 is DENIED without prejudice. ECF No. 12 is labeled as a motion but also states that the parties stipulate to the requested relief. Defendant is to refile the motion as either a motion or a stipulation, whichever is applicable, and comply with the Local Rules in all respects.

IT IS SO ORDERED  
DATED: 9:32 am, September 13, 2021

  
BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE

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# EXHIBIT “A”

**MOTION TO EXTEND PRETRIAL DEADLINES AND TO MODIFY JOINT  
DISCOVERY PLAN AND SCHEDULING ORDER (First Request)**



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 12 *Attorneys for Defendant, Fireworks by Grucci, Inc.*

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

10 BEDROC LIMITED, LLC,  
 11  
 12 Plaintiff,  
 13 vs.  
 14 FIREWORKS BY GRUCCI, INC.,  
 15 Defendants.

Case No.: 2:21-cv-00936-RFB-BNW

**PROPOSED ORDER EXTENDING  
 PRETRIAL DEADLINES AND  
 MODIFYING JOINT DISCOVERY  
 PLAN AND SCHEDULING ORDER**

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 17 Defendant FIREWORKS BY GRUCCI, INC. ("Defendant") by and through its attorney  
 18 of record TYSON & MENDES LLP, and Plaintiff BEDROC LIMITED, LLC ("Plaintiff"), by  
 19 and through its attorney of record HOLLEY DRIGGS, and hereby submits this Proposed Order  
 20 Extending Pretrial Deadlines, as follows: Fed. R. Civ. P. 26(a)(2) Disclosures (Experts): The  
 21 parties' disclosures of experts shall be made on or before December 1, 2021. Disclosure of  
 22 rebuttal experts shall be made by December 31, 2021, which is 30 days after the initial disclosure  
 23 of experts. Discovery cut-off shall be on January 31, 2022.

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1 DATED this 10<sup>th</sup> day of September, 2021.

2 TYSON & MENDES LLP

3 /s/ *Victoria L. Hightower*

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6 Nevada Bar No. 8312  
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11 *Attorneys for Defendant*  
12 *Fireworks by Grucci, Inc.*

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15 IT IS SO ORDERED

16 DATED: \_\_\_\_\_

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\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE



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