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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONAVAN McINTOSH,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS, a Municipal Corporation and political subdivision of the State of Nevada; PAMELA OJEDA in her official and/or individual capacities; CLINTON RYAN in his official and/or individual capacities; ALEJANDRO RODRIGUEZ in his official and/or individual capacities; DOES I-X,

Defendants.

Case No. 2:21-cv-01505-APG-EJY

STIPULATION AND ORDER TO EXTEND DEADLINE FOR JOINT PRE-TRIAL ORDER

[SECOND REQUEST]

Plaintiff Donavan McIntosh (“Plaintiff”) and Defendants City of North Las Vegas (“CNLV”), Pamela Ojeda (“Chief Ojeda”), Clinton Ryan (“Asst. Chief Ryan”), and Alejandro Rodriguez (“Lt. Rodriguez,” and collectively, “Defendants”), by and through their undersigned counsel, hereby file this Stipulation and Order to Extend Deadline for Joint Pre-Trial Order (First Request). This is the second request to extend this deadline. The parties stipulate that the current deadline of November 13, 2023 (November 10 was a holiday) should be extended to Friday, December 1, 2023 and informs the court as follows:

1. The current deadline was established by the first request of the parties approved by the court on September 25, 2023.

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2. During the interim period CNLV litigated a Motion to Strike the Amended Complaint
2 and the court denied that motion on October 2, 2023. [ECF No. 66]

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3. Thereafter, CNLV filed an Answer to the Amended Complaint on October 20, 2023.
4 [ECF No. 67]

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4. During the period of October 26 through November 3 Plaintiff's counsel was
6 attending a 40 hour Mediation Certificate CLE training program through Quinnipiac
7 University School of Law and traveled to Connecticut for the in-class portion of the
8 training. Plaintiff's counsel was in Connecticut from November 1 through November
9 6 because after the training program ended Plaintiff's counsel's son came to
10 Connecticut and Plaintiff's counsel attended the law school's open house with his son
11 on November 4 and a tour and discussion of admissions and financial aid with law
12 school staff as Plaintiff's son is applying to law schools this fall.

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5. Further, in the interim Plaintiff's counsel was out of town for the Nevada Justice
14 Association CLE convention in San Diego from October 4-6, 2023.

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6. Further Plaintiff's counsel had out of state depositions in Orange County, California
16 on October 9, 2023.

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7. Further Plaintiff's counsel has had multiple mediations/settlement conferences, other
18 depositions, multiple administrative workers' compensation and unemployment
19 hearings, and briefing due in an arbitration case.

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8. Plaintiff's counsel is focusing on the Joint Pre-Trial Order this week and will have a
21 first draft of the document to Defense counsel by no later than close of business on
22 November 14, 2023. Given the upcoming Thanksgiving Holiday (Plaintiff's counsel
23 is traveling out of the country beginning November 17, 2023) the parties are
24 requesting the new deadline be the Friday after the holiday week, which is December
25 1, 2023 as this should be sufficient time to finalize the Joint Pre-Trial Order.

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9. The requested extension is sought in good faith and not for purposes of undue delay.

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1 IT IS STIPULATED AND AGREED that the parties shall file the Joint Pre-Trial Order no
2 later than December 1, 2023.

3 IT IS SO STIPULATED.
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5 Dated this 13th day of November 2023

6 KEMP & KEMP

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HONE LAW

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10 *Attorneys for Defendants*

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12 **ORDER**

13 IT IS SO ORDERED.

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17 Layna J. Zouchah
18 UNITED STATES MAGISTRATE JUDGE

19 Dated: November 13, 2023.

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