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5
6 JON L. NORINSBERG, ESQ.
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7 110 East 59th Street, Suite 3200
New York, New York 10022
8 Attorneys for Plaintiffs

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

11
12 TOMMY LYNCH as ADMINISTRATOR for
the ESTATE of TAMMY LYNCH, and
13 TOMMY LYNCH and APRIL BLACK,
individually as heirs of Tammy Lynch,

14
15 Plaintiffs,

16 vs.

17 SAMIT ADRIAN HERNANDEZ, individual,
18 LIZBETH BARRAGAN, individual,
LAUGHLIN WATERCRAFT RENTALS, LLC;
19 KABUL, INC., d/b/a FASTRIP PWC
RENTALS; DARRYL PETER ALEXANDER
20 JR., individual, and DOES 1-X; and ROE
CORPORATIONS,

21 Defendants.

22
23 AND ALL CONSOLIDATED MATTERS
24

CASE NO. 2:21-CV-01981-ART-DJA
c/w Case No.: 2:22-cv-00940-CDS-VCF

STIPULATION TO EXTEND
DISCOVERY DEADLINES PURSUANT
TO LR 26-3 (Sixth Request)

25 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs The Estate of
26 Tammy Lynch, Tommy Lynch and April Black (“Plaintiffs”), Defendant Laughlin Watercraft
27 Rentals, LLC and Defendant Kabul, Inc., by and through their respective counsel, that the discovery
28

1 deadlines of this matter be continued for a period of 90 days to allow the parties to complete
2 additional discovery.

3 **A. STATEMENT SPECIFYING THE DISCOVERY THAT HAS BEEN COMPLETED.**

4 The parties participated in the Fed. R. Civ. P. 26(f) conference on February 14, 2022 and
5 have served their initial Rule 26 Disclosures. The following is discovery that has been completed:

6 1. Plaintiffs' First Set of Request for Production of Documents to Defendants Laughlin
7 Watercraft;

8 2. Plaintiffs' First Set of Request for Production of Documents to Defendant Laughlin
9 Watercraft;

10 3. Plaintiffs' First Set of Request for Production of Documents to Defendant Kabul, Inc.;

11 4. Plaintiffs' First Set of Interrogatories to Defendant Kabul, Inc.;

12 5. Defendant Laughlin Watercraft Rentals, LLC's responses to Plaintiffs' First Set of
13 Request for Production of Documents;

14 6. Defendant Laughlin Watercraft Rentals, LLC's responses to Plaintiffs' First Set of
15 Interrogatories;

16 7. Defendant Kabul, Inc.'s responses to Plaintiffs' First Set of Request for Production of
17 Documents;

18 8. Defendant Kabul, Inc.'s responses to Plaintiffs' First Set of Interrogatories;

19 9. Defendant Laughlin Watercraft Rentals, LLC's First Set of Interrogatories to Plaintiff
20 April Black;

21 10. Defendant Laughlin Watercraft Rentals, LLC's First Set of Interrogatories to Plaintiff
22 Tommie Lynch;

23 11. Defendant Laughlin Watercraft Rentals, LLC's First Set of Request for Production to
24 Plaintiff April Black;

25 12. Defendant Laughlin Watercraft Rentals, LLC's First Set of Request for Production to
26 Plaintiff Tommie Lynch;

27
28

1 13. Defendant/Cross-Defendant Kabul, Inc. dba Fastrip PWC Rental's 2nd Supplement
2 to Initial Disclosure Pursuant to Fed. R. Civ. P. 26 Disclosure;

3 14. Defendant Kabul, Inc. dba Fastrip PWC Rental's 1st Set of Interrogatories to Plaintiff
4 Tommie Lynch;

5 15. Defendant Kabul, Inc. dba Fastrip PWC Rental's 1st Set of Interrogatories to Plaintiff
6 April Black;

7 16. Defendant Kabul, Inc. dba Fastrip PWC Rental's 1st Set of Interrogatories to
8 Defendant Laughlin Watercraft Rentals, LLC;

9 17. Defendant Laughlin Watercraft Rentals, LLC's First Supplement to Initial
10 Disclosure Pursuant to Fed. R. Civ. P. 26 Disclosure; and

11 18. Deposition of Defendant Samir Hernandez taken on October 26, 2022.

12 19. Respondents First Set of Request for Production of Documents to Laughlin Rentals;

13 20. Deposition of Tommie Lynch on February 23, 2023;

14 21. Deposition of April Black on February 23, 2023

15 22. Deposition of the Corporate Representative of Defendant Laughlin Watercraft
16 Rentals, LLC

17 23. Plaintiffs' Initial Expert Disclosures;

18 24. Defendants' Initial Expert Disclosures;

19 25. Plaintiffs' Rebuttal Expert Disclosures;

20 26. Defendants' Rebuttal Expert Disclosures;

21 **B. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
22 **COMPLETED.**

23 Currently at this time the following discovery has not taken place and/or is anticipated:

24 1. Deposition of Defendant Lizabeth Barragan;

25 2. Deposition of Defendant Darryl Alexander;

26 3. Deposition of Defendant Laughlin Watercraft Rentals, LLC Employee, Steve
27 Cohen;

- 1 4. Deposition of Defendant Laughlin Watercraft Rentals, LLC, Employee Gerald
- 2 Prieto;
- 3 5. Deposition of Defendant Kabul, Inc. Employee, Najibullah Noori;
- 4 6. Deposition of former Defendant Kabul, Inc. Employee, Sarah Schneider;
- 5 7. Deposition of the Corporate Representative for Defendant Kabul, Inc.;
- 6 8. Depositions of Plaintiffs' experts;
- 7 9 Deposition of Defendants' experts; and
- 8 10. Other depositions, subpoenas and/or discovery that might be necessary.

9 **C. REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**
10 **WITHIN THE DEADLINES CONTAINED IN THE AMENDED DISCOVERY**
11 **SCHEDULING ORDER**

12 Local Rule 26-3 provides that a stipulation to extend discovery deadlines must be supported
13 by a showing of good cause. The parties represent that good cause exists for the Court to grant this
14 stipulation.

15 Since the granting of the last stipulation, the parties have been diligently working together
16 to finalize the above depositions, however, with various scheduling conflicts and many parties being
17 out of the state, parties have not been able to secure dates.

18 Moreover during that time, the parties agreed to participate in mediation which is currently
19 set for November 9, 2023.

20 For these reasons, the parties are requesting an extension of the reaming discovery deadlines
21 for ninety (90) days to all the mediation to occur in hopes of a potential resolution.
22

23
24 **D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

25 It is requested that all remaining discovery deadlines in this case be continued as follows:

<u>Discovery</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Discovery Cut-Off	November 17, 2023	February 19, 2024

Dispositive Motions	December 18, 2023	March 19, 2024
Pre-Trial Order	January 16, 2024	April 19, 2024

DATED this 6th day of November, 2023.

/s/ John Shook, Esq.

 JOHN B. SHOOK, ESQ.
 Nevada Bar No. 5499
 SHOOK & STONE, CHTD.
 710 South Fourth Street
 Las Vegas, Nevada 89101

JON L. NORINSBERG, ESQ.
 NORINSBERG LAW
 110 East 59th Street, Ste. 3200
 New York, New York 10022
 Office: (212) 587-8423
 Attorneys for Plaintiffs

DATED this 6th day of November, 2023.

/s/ Erik Fox, Esq.

 ERIK FOX, ESQ.
 Nevada Bar No. 8804
 WOLFE & WYMAN, LLP
 6757 Spencer Street
 Las Vegas, Nevada 89119
 Attorney for Defendant
 KABUL, INC. DBA FASTRIP PWC

DATED this 6th day of November, 2023.

/s/ Deborah Tropp, Esq.

 DEBORAH S. TROPP, ESQ.
 California Bar No. 162613
 MCNEIL TROPP & BRAUN LLP
 4695 MacArthur Court, Suite 800
 Newport Beach, California 92660

PETER MORTENSON, ESQ.
 Nevada Bar No. 5725
 Mortenson & Rafie, LLP
 10781 West Twain Avenue
 Las Vegas, Nevada 89135
 Attorney for Defendant
 LAUGHLIN WATER RENTALS, LLC

DATED this 6th day of November, 2023.

/s/ Leonard Fink, Esq.

 LEONARD FINK, ESQ.
 Nevada Bar No. 6296
 MICHAEL MCLOUGHLIN, ESQ.
 Nevada Bar No. 12820
 SPRINGEL & FINK
 9075 West Diablo Drive, #302
 Las Vegas, Nevada 89148

ORDER

IT IS SO ORDERED.

 UNITED STATES MAGISTRATE JUDGE

DATED: 11/7/2023

Kiana A. O'Day

From: Erik W. Fox <ewfox@ww.law>
Sent: Monday, November 6, 2023 4:07 PM
To: Kiana A. O'Day; Cari Remmel; Tina Crisp; Gionalis Beato; Jon Norinsberg; Lynn Shoen; John Shook; Leonard Fink; Kendall Craver; Deborah Tropp
Cc: Wanda Nieves; Michael McLoughlin
Subject: RE: Lynch v. Hernandez, et. al.

Yes – signature authorized.



Erik W. Fox, Attorney at Law
WOLFE & WYMAN LLP
6757 Spencer Street • Las Vegas, NV 89119-3912
Tel. (702) 476-0100 • Fax (949) 475-9203
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From: Kiana A. O'Day <KO'Day@shookandstone.com>
Sent: Monday, November 6, 2023 4:04 PM
To: Cari Remmel <cremmel@mtbattorneys.com>; Tina Crisp <tcrisp@springelfink.com>; Gionalis Beato <gio@norinsberglaw.com>; Jon Norinsberg <jon@norinsberglaw.com>; Lynn Shoen <lshoen@shookandstone.com>; John Shook <johnshook@shookandstone.com>; Leonard Fink <LFINK@SPRINGELFINK.COM>; Erik W. Fox <ewfox@ww.law>; Kendall Craver <kcraver@mtbattorneys.com>; Deborah Tropp <dtropp@mtbattorneys.com>
Cc: Wanda Nieves <wnieves@norinsberglaw.com>; Michael McLoughlin <mmcloughlin@springelfink.com>
Subject: RE: Lynch v. Hernandez, et. al.

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Mr. Fox,

Are you ok with the proposed stipulation?



Kiana A. O'Day | Paralegal

P: 702.570.0000 | F: 702.485.5266 | Direct:

Downtown Las Vegas, NV: 710 S. 4th Street, Las Vegas, NV 89101

Offices: Summerlin, NV: 9455 W. Russell Road, Suite 100, Las Vegas, NV 89148

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Kiana A. O'Day

From: Tina Crisp <tcrisp@springelfink.com>
Sent: Monday, November 6, 2023 1:11 PM
To: Kiana A. O'Day; Cari Remmel; Gionalis Beato; Jon Norinsberg; Lynn Shoen; John Shook; Leonard Fink; ewfox@ww.law; Kendall Craver; Deborah Tropp
Cc: Wanda Nieves; Michael McLoughlin
Subject: RE: Lynch v. Hernandez, et. al.

Greetings Kiana:
You may note Mr. McLoughlin's electronic signature.
Best regards,

Tina Crisp
Legal Assistant



9075 W. Diablo Drive., Suite 302 | Las Vegas, NV 89148
Tel: 702-804-0706

From: Kiana A. O'Day <KO'Day@shookandstone.com>
Sent: Monday, November 6, 2023 11:11 AM
To: Cari Remmel <cremmel@mtbattorneys.com>; Tina Crisp <tcrisp@springelfink.com>; Gionalis Beato <gio@norinsberglaw.com>; Jon Norinsberg <jon@norinsberglaw.com>; Lynn Shoen <lshoen@shookandstone.com>; John Shook <johnshook@shookandstone.com>; Leonard Fink <lfink@springelfink.com>; ewfox@ww.law; Kendall Craver <kcraver@mtbattorneys.com>; Deborah Tropp <dtropp@mtbattorneys.com>
Cc: Wanda Nieves <wnieves@norinsberglaw.com>; Michael McLoughlin <mmcloughlin@springelfink.com>
Subject: RE: Lynch v. Hernandez, et. al.
Importance: High

Following up on the proposed stipulation.



Kiana A. O'Day | Paralegal

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Kiana A. O'Day

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Cc: Wanda Nieves; Michael McLoughlin
Subject: RE: Lynch v. Hernandez, et. al.

Hi Kiana,

You may also note Ms. Tropp's e-signature.

Thank you,

Cari
MTB

From: Tina Crisp <tcrisp@springelfink.com>
Sent: Monday, November 6, 2023 1:11 PM
To: Kiana A. O'Day <KO'Day@shookandstone.com>; Cari Remmel <cremmel@mtbattorneys.com>; Gionalis Beato <gio@norinsberglaw.com>; Jon Norinsberg <jon@norinsberglaw.com>; Lynn Shoen <lshoen@shookandstone.com>; John Shook <johnshook@shookandstone.com>; Leonard Fink <lfink@springelfink.com>; ewfox@ww.law; Kendall Craver <kcraver@mtbattorneys.com>; Deborah Tropp <dtropp@mtbattorneys.com>
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You may note Mr. McLoughlin's electronic signature.
Best regards,

Tina Crisp
Legal Assistant



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