DENNIS M. PRINCE 1 Nevada Bar No. 5092 KEVIN T. STRONG 2 Nevada Bar No. 12107 3 PRINCE LAW GROUP 10801 W. Charleston Boulevard Suite 560 4 Las Vegas, NV 89135 Tel: (702) 534-7600 Fax: (702) 534-7601 Email: eservice@thedplg.com Attorneys for Plaintiffs Salvador Plascencia and Kyle Hail 8 UNITED STATES DISTRICT COURT 9 DISTRICT OF NEVADA 10 11 SALVADOR PLASCENCIA, individually;

Case No.: 2:22-cv-01420-GMN-VCF

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

(Second Request)

Plaintiffs,

and KYLE HAIL,

vs.

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HARTFORD FIRE INSURANCE COMPANY, a Connecticut Corporation; DOES, I through X, inclusive; ROE BUSINESS ENTITIES, I through X, inclusive,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs SALVADOR PLASCENCIA and KYLE HAIL, through their counsel of record, Dennis M. Prince and Kevin T. Strong of PRINCE LAW GROUP and Defendant HARTFORD FIRE INSURANCE COMPANY, through its counsel of record, Darren T. Brenner and Stephanie Garabedian of WRIGHT, FINLAY & ZAK, LLP, that the discovery deadlines in this matter shall be extended ninety (90) days pursuant to LR 26-3. This is the parties' second request for an extension of the discovery deadlines. The parties set forth the following information in support of their stipulation.



Doc. 24

I.

DISCOVERY COMPLETED TO DATE

A. FRCP 26(a) Disclosures and Supplements

<u>Title</u>	Date Served		
Plaintiffs' Initial Disclosure of Documents and Witnesses Pursuant	Nov. 30, 2022		
to FRCP 26(a)(1)			
Hartford Fire Insurance Company's Initial Disclosure of Witnesses	Dec. 5, 2022		
and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)			
Plaintiffs' First Supplement to Their Initial Disclosure of	Jan. 27, 2023		
Documents and Witnesses Pursuant to FRCP 26(a)(1)			
Hartford Fire Insurance Company's First Supplemental	April 17, 2023		
Disclosure of Witnesses and Documents Pursuant to FED. R.			
CIV. P. RULE 26.1(a)(1)			
Plaintiffs' Second Supplement to Their Initial Disclosure of	May 12, 2023		
Documents and Witnesses Pursuant to FRCP 26(a)(1)			
Hartford Fire Insurance Company's Second Supplemental	June 28, 2023		
Disclosure of Witnesses and Documents Pursuant to FED. R.			
CIV. P. RULE 26.1(a)(1)			
Plaintiffs' Third Supplement to Their Initial Disclosure of	June 29, 2023		
Documents and Witnesses Pursuant to FRCP 26(a)(1)			

B. Written Discovery

<u>Title</u>	Date Served
Plaintiff Salvador Plascencia's First Set of Interrogatories to	Feb. 8, 2023
Defendant Hartford Fire Insurance Company	
Plaintiff Kyle Hail's First Set of Interrogatories to Defendant	Feb. 8, 2023
Hartford Fire Insurance Company	
Plaintiffs' First Set of Interrogatories to Defendant Hartford Fire	Feb. 8, 2023
Insurance Company	
Hartford Fire Insurance Company's First Set of Interrogatories to	Mar. 13, 2023
Plaintiff Salvador Plascencia	
Hartford Fire Insurance Company's First Set of Requests for	Mar. 13, 2023
Production of Documents to Plaintiff Salvador Plascencia	
Hartford Fire Insurance Company's First Set of Requests for	Mar. 13, 2023
Admissions to Plaintiff Salvador Plascencia	
Hartford Fire Insurance Company's First Set of Interrogatories to	Mar. 13, 2023
Plaintiff Kyle Hail	
Hartford Fire Insurance Company's First Set of Requests for	Mar. 13, 2023
Production of Documents to Plaintiff Kyle Hail	
Hartford Fire Insurance Company's First Set of Requests for	Mar. 13, 2023
Admissions to Plaintiff Kyle Hail	
Hartford Fire Insurance Company's Responses to Plaintiff	April 17, 2023
Salvador Plascencia's First Set of Interrogatories	

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Hartford Fire Insurance Company's Responses to Plaintiff | April 17, 2023 **Kyle Hail's First Set of Interrogatories** Hartford Fire Insurance Company's Responses to Plaintiffs April 17, 2023 Salvador Plascencia and Kyle Hail's First Set of Requests for Production of Documents Plaintiff Salvador Plascencia's Answers to Defendant May 10, 2023 Hartford Fire Insurance Company's **First** Set **Interrogatories** May 10, 2023 Plaintiff Salvador Plascencia's Responses to Defendant Hartford Fire Insurance Company's First Set of Requests for Production of Documents Plaintiff Salvador Plascencia's Responses to Defendant May 10, 2023 Hartford Fire Insurance Company's First Set of Requests for Admissions Plaintiff Kyle Hail's Answers to Defendant Hartford Fire May 10, 2023 Insurance Company's First Set of Interrogatories Plaintiff Kyle Hail's Responses to Defendant Hartford Fire May 10, 2023 Insurance Company's First Set of Requests for Production of Documents Plaintiff Kyle Hail's Responses to Defendant Hartford Fire May 10, 2023 Insurance Company's First Set of Requests for Admissions

C. <u>Depositions</u>

<u>Deponent</u>	Date
Plaintiff Salvador Plascencia	June 30, 2023

II.

DISCOVERY TO BE COMPLETED

- 1. Plaintiffs will take the depositions of Defendant's relevant claims handling personnel who were involved in the investigation, evaluation, and handling of their respective underinsured motorist claims.
- 2. Plaintiffs will take the deposition of the FRCP 30(b)(6) witness for Defendant.
 - 3. Defendant will take the deposition of Plaintiff Kyle Hail on July 20, 2023.
- 4. The parties will retain and disclose initial expert witnesses and rebuttal expert witnesses.
 - 5. The parties will depose their respective expert witnesses.



6. The parties will engage in additional written discovery and notice any additional depositions.

The parties anticipate that they may need to conduct other forms of discovery not specifically delineated herein on an as-needed basis. Therefore, the list outlined above is in no way intended to be a comprehensive list of the outstanding discovery that remains to be completed.

III.

REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS AND NEEDS TO BE EXTENDED

The parties respectfully request an extension of the discovery deadlines in this matter for numerous reasons. Plaintiffs' undersigned counsel of record, Dennis M. Prince, conducted two separate trials during the entire month of May. Specifically, from May 1, 2023 through May 16, 2023, Mr. Prince tried the matter of *Parfitt v. Vohra*, Case No. A-20-808010-C in the Eighth Judicial District Court, Clark County, Nevada. From May 22, 2023 through June 1, 2023, Mr. Prince tried the matter of *Santos v. Funk*, Case No. A-20-819657-C in the Eighth Judicial District Court, Clark County, Nevada. Plaintiffs other undersigned counsel of record, Kevin T. Strong, was out of the office and working from home during the months of April and May due to the birth of his son, which occurred on March 22, 2023. Additionally, Mr. Strong has attended various medical appointments for his son throughout the month of June. As a result, Plaintiffs need additional time to take the depositions of Defendant's claims personnel to ensure that their retained insurance bad faith expert possesses the requisite information needed to author a comprehensive report containing his opinions.

Separately, counsel for Plaintiffs and Defendant have attempted to resolve a dispute regarding Defendant's production of relevant portions of its claims manual, training materials, and other applicable policies and procedures. Defendant has experienced certain unforeseen delays in the production of these documents due to the manner in which those documents are retained. Defendant's undersigned counsel has also spent time away from the office due to personal issues, which has also delayed the production of these documents. Defendant expects to produce the documents on or before



July 13, 2023. The parties' requested extension of the discovery deadlines will allow Plaintiffs to review the documents produced and to file any motion practice regarding the scope and substance of Defendant's production in advance of the depositions of Defendants' claims handling personnel.

"[D]istrict courts . . . retain broad discretion to control their dockets" Shahrokhi v. Harter, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS 247936, at *4 (D. Nev. Dec. 30, 2021). To prevail on a request to extend discovery deadlines, the parties must establish good cause. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 608-09 (9th Cir. 1992). For the reasons set forth above, the parties respectfully submit that good cause supports their requested stipulation for a ninety (90) day extension of the discovery deadlines. The parties' requested extension of the discovery deadlines is not made in bad faith or to cause any unnecessary delays in the resolution of this matter.

IV.

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

	<u>Current Date</u>	Proposed Date
Amend Pleadings and Add Parties:	July 3, 2023	Closed
Initial Expert Disclosures:	August 3, 2023	November 3, 2023
Rebuttal Expert Disclosures:	September 5, 2023	December 4, 2023 ¹
Close of Discovery:	October 2, 2023	January 2, 2024 ²
Dispositive Motions	November 1, 2023	February 1, 2024
Joint Pretrial Order	December 1, 2023	March 4, 2024 ³
		If dispositive motions are filed, the deadline
		for filing the joint pretrial order will be suspended
		until 30 days after
		decision on the dispositive motions or further court
		order.

 $^{^{1}}$ The actual deadline falls on Sunday, December 3, 2023.

 $^{^{\}rm 3}$ The actual deadline falls on Saturday. March 2, 2024.



² The actual deadline falls on Sunday, December 31, 2023. Additionally, Monday, January 1, 2024 is a holiday.

1	Based on the foregoing, the p	arties respectfully request this Court grant their
$_2$	Stipulation and Order to Extend Disc	covery Deadlines (Second Request).
3	DATED this <u>7th</u> day of July, 2023.	DATED this <u>7th</u> day of July, 2023.
4	PRINCE LAW GROUP	WRIGHT, FINLAY & ZAK, LLP
5		
6	/a / Varia T. Strong	/a / Dannar T. Duana an
7	<u>/s/Kevin T. Strong</u> DENNIS M. PRINCE	/s/ Darren T. Brenner DARREN T. BRENNER
8	Nevada Bar No. 5092 KEVIN T. STRONG	Nevada Bar No. 8386 STEPHANIE GARABEDIAN
9	Nevada Bar No. 12107 10801 W. Charleston Boulevard	Nevada Bar No. 9612 7785 W. Sahara Avenue
10	Suite 560 Las Vegas, Nevada 89135 Tel: (702) 534-7600	Suite 200 Las Vegas, Nevada 89117 Tel: (949) 477-5050
11	Fax: (702) 534-7600 Attorneys for Plaintiffs	Fax: (702) 946-1345 Attorneys for Defendant
12	Salvador Plascencia and Kyle Hail	Hartford Fire Insurance Company
13		
14		ORDER
15	IT IS SO ORDERED.	
16	7-19-2023	
17	DATED:	_
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18 19 20		UNITED STATES MAGISTRATE JUDGE
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