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

12 DAWNYELL FLYNN, an individual,

13 Plaintiff,

14 vs.

15 STATE OF NEVADA ex rel. NEVADA
 16 DEPARTMENT OF CORRECTIONS, a
 public entity of the State of Nevada; DONALD
 17 BURSE, an individual; CHARLES DANIELS,
 director, in his official capacity; GABRIELA
 18 NAJERA, warden, in her official capacity;
 19 KARISSA CURRIER, associate warden, in her
 official capacity; MONIQUE HUBBARD-
 20 PICKETT, associate warden, in her official
 capacity; and Doe Nevada Department of
 21 Corrections Employees 1 – 10, in their
 individual and official capacity,

22 Defendant(s).

Case Number:

2:22-cv-01753-JAD-NJK

**STIPULATION AND ORDER TO
 EXTEND DEADLINE TO RESPOND
 TO DEFENDANTS' MOTION TO
 DISMISS AND TO FILE A
 DISCOVERY PLAN**

ECF Nos. 7, 9

STIPULATION

(FIRST REQUEST)

Pursuant to Local Rules IA 6-1, IA 6-2, and 7-1, it is hereby stipulated and agreed by and among Defendants, Nevada Department of Corrections (NDOC) and Charles Daniels, and Plaintiff, Dawnyell Flynn, as follows:

1. Defendants, NDOC and Charles Daniels, removed this action from state court to federal court on October 19, 2022. *See* ECF No. 1.

2. Defendants filed a Motion to Dismiss on December 30, 2022. *See* ECF No. 7.

3. Defendant Donald Burse has not made an appearance.

4. The Court issued an order on December 30, 2022, ordering Plaintiff to respond by January 13, 2023.

5. The Court issued an order on December 30, 2022, setting a deadline of January 29, 2023, for a Discovery Plan/Schedule.

6. On January 12, 2023, counsel for Defendants NDOC and Charles Daniels and counsel for Plaintiff conferred regarding potential settlement in this matter.

7. Settlement negotiations are ongoing.

8. The deadline to file an opposition in response to the Motion to Dismiss shall be extended 60 days. The new deadline is March 13, 2023.

9. The deadline to file a Discovery Plan/Schedule shall be extended 60 days. The new deadline is March 30, 2023.

10. This is the parties' first request for an extension of any deadline in this case. The requested extension is not intended to cause any delay or to prejudice any party.

1 AMERICAN CIVIL LIBERTIES UNION OF
2 NEVADA

OFFICE OF THE ATTORNEY GENERAL

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Attorney for NDOC and Charles Daniels

6 **ORDER**

7 IT IS SO ORDERED.

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9 _____
10 U.S. DISTRICT COURT JUDGE

11 DATED: 1-18-23
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