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

10 Hernando Alberto Heredia,

11 Plaintiff,

12 v.

13 United States of America *ex rel.* United  
States Postal Service,

14 Defendants.

Case No. 2:22-cv-01846-RFB-DJA

**Stipulation to Extend Discovery Plan  
and Scheduling Order**

**(Second Request)**

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16 The parties stipulate to extend the remaining deadlines in the Stipulated Discovery  
17 Plan and Scheduling Order by 60 days. This is the second request to extend the Stipulated  
18 Discovery Plan and Scheduling Order. This extension is requested because the United  
19 States recently received all subpoenaed records and needs additional time to provide  
20 supplemental disclosures and expert reports to Plaintiff.

21 **I. Discovery Completed**

22 The parties have exchanged written discovery in the form of interrogatories and  
23 requests for production of documents. The parties have taken depositions of the Plaintiff  
24 and the government driver. The United States has subpoenaed 16 medical providers. The  
25 United States has received records and imaging from all providers. The United States has  
26 made a supplemental disclosure of subpoenaed records it received. Plaintiff has served an  
27 expert disclosure.

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1 **II. Discovery Remaining**

2 The United States need to exchange expert reports. The United States needs to  
3 provide an additional supplemental disclosure of the documents it has received through  
4 subpoenas.

5 **III. Why Discovery Has Not Been Completed**

6 One of the providers that had not produced documents was discovered later in  
7 discovery, and United States was following up with the provider for those records and  
8 ultimately received them. In addition, the United States needed to follow up with some of  
9 the providers for medical imaging that its expert requested, and the United States recently  
10 received all of the imaging that it requested. With the impending holidays and potential  
11 work-related travel for the United States' counsel the week that expert disclosures are due,  
12 the United States needs additional time to consult with its expert about the imaging and  
13 produce a supplemental disclosure and expert reports.

14 **IV. Proposed Deadlines**

15 Close of Discovery: March 30, 2024 (from January 30, 2024)

16 Initial Expert Disclosures: January 30, 2024 (from December 1, 2023)

17 Rebuttal Expert Disclosures: March 2, 2024 (from January 2, 2024)

18 Dispositive Motions: May 1, 2024 (from March 2, 2024)

19 Joint Pre-Trial Order: May 31, 2024 (from April 1, 2024)

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1 Respectfully submitted this 9th day of November 2023.

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3 JASON M. FRIERSON  
United States Attorney

HICKS & BRASIER, PLLC

4  
5 /s/ Stephen R. Hanson II  
6 STEPHEN R. HANSON II  
Assistant United States Attorney

/s/ Betsy C. Jefferis-Aguilar  
BETSY C. JEFFERIS-AGUILAR  
Attorney for Plaintiff

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8 IT IS SO ORDERED:

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11 UNITED STATES MAGISTRATE JUDGE

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13 DATED: 11/14/2023