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

12 NANCY DERASMO, an individual,

CASE NO.: 2:22:cv-02043-JAD-DJA

13 Plaintiffs,

14 vs.

15 COSTCO WHOLESALE CORPORATION,
 a Delaware Corporation; DOE INDIVIDUAL
 16 RETAIL STORE OWNER, I through X,
 inclusive; ROE ENTITY RETAIL STORE
 17 OWNER, I through X, inclusive; DOE
 18 INDIVIDUAL MAINTENANCE
 CONTRACTORS, I through X, inclusive;
 19 DOES INDIVIDUALS I through X,
 20 inclusive; and ROE CORPORATIONS I
 through X, inclusive.

22 Defendants.

23 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**
 24 **(Second Request)**

25 IT IS HEAREBY STIPULATED by and between Plaintiff, NANCY DERASMO (hereinafter
 26 referred to as “Ms. Derasmo” or “Plaintiff”), and Defendant, COSTCO WHOLESALE
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1 CORPORATION (hereinafter referred to as “Costco” or “Defendant”), by and through their
2 respective counsel, to extend the current discovery deadlines by sixty (60) days pursuant to LR IA 6-
3 1 and LR II 26-3 as follows:

4 **I. DISCOVERY COMPLETED**

- 5 1. Plaintiff served her initial disclosures pursuant to FRCP 26 on December 28, 2022.
- 6 2. Costco served its initial disclosures pursuant to FRCP 26 on January 24, 2023.
- 7 3. Plaintiff served a First Set of Interrogatories to Costco on February 9, 2023.
- 8 4. Plaintiff served a First Set of Requests for Production to Costco on February 9, 2023.
- 9 5. Costco served its First Set of Interrogatories to Plaintiff on March 3, 2023.
- 10 6. Costco served its First Set of Requests for Production to Plaintiff on March 3, 2023.
- 11 7. Costco served its responses to Plaintiff’s First Set of Interrogatories on March 21,
- 12 2023.
- 13 8. Costco served its responses to Plaintiff’s Requests for Production on March 21,
- 14 2023.
- 15 9. Costco served Subpoenas of records from Plaintiff’s various health care providers on
- 16 April 24, 2023.
- 17 10. Plaintiff requested deposition dates for Costco’s Rule 30(b)(6) representative with a
- 18 list of topics on May 8, 2023.
- 19 11. Plaintiff served her responses to Costco’s First Set of Requests for Production on
- 20 May 12, 2023.
- 21 12. Plaintiff served her responses to Costco’s First Set of Interrogatories on May 15,
- 22 2023.

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1 **II. DISCOVERY TO BE COMPLETED**

- 2 1. Responses to Costco’s Subpoena of records from Plaintiff’s various health care
3 providers.
4 2. Deposition of Plaintiff.
5 3. Deposition of Costco personnel.
6 4. Deposition of additional fact witnesses, and/or employees of Defendant.
7 5. Depositions of Plaintiff’s health care providers.
8 6. Costco’s Expert disclosures.
9 7. Plaintiff’s expert disclosures.
10 8. Depositions of Plaintiff’s experts.
11 9. Deposition of Costco’s experts.
12 10. All other discovery that may become necessary as litigation continues.

13 **III. REASONS THAT DISCOVERY HAS NOT BEEN COMPLETED**

14 Pursuant to LRII 26-3, this Court is permitted to extend discovery deadlines where the parties
15 have shown good cause for the same and where the parties’ request is made at least twenty-one (21)
16 days before the discovery cut-off date. *See* LR IA 6-1.

17 Initially, the Parties engaged in discussions and reaching an agreement as to the confidentiality
18 and protective order which was crafted and filed with this Court. The Order provides protection to
19 the parties with respect to any confidential and/or proprietary documents and information which may
20 be requested and produced in this case so as to expedite the production of the same. This took some
21 time to finalize and have submitted to this Court.

22 The parties have acted in good faith in attempting to comply with discovery deadlines. The
23 parties are attempting to schedule depositions of Plaintiff and Costco’s 30(b)(6) representative. The
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1 parties are in the midst of gathering all relevant information and request additional time to be able to
2 complete the remaining discovery.

3 Additionally, settlement discussion have begun between the parties. The discussions are
4 ongoing and, in order to conserve the Court’s time and resources, the parties are requesting additional
5 time to come to an agreement outside of court.

6 Accordingly, the parties respectfully request that the discovery deadlines be extended for a
7 period of sixty (60) days as noted below. Counsel are in no way attempting to unnecessarily delay
8 discovery in this matter, further, the parties believe that this extension will not affect the trial date.

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10 **IV. CURRENT SCHEDULE FOR COMPLETING DISCOVERY**

11	Close of Discovery:	August 11, 2023
12	Amendment of Pleading and Adding Parties:	Closed
13	Initial Expert Disclosures:	June 14, 2023
14	Rebuttal Expert Disclosures:	July 14, 2023
15	Final Date to File Dispositive Motions:	September 11, 2023

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17 **V. PROPOSED SCHEDULE OF DISCOVERY**

18	Close of Discovery:	October 10, 2023
19	Amendment of Pleading and Adding Parties:	Closed
20	Initial Expert Disclosures:	August 14, 2023
21	Rebuttal Expert Disclosures:	September 11, 2023
22	Final Date to File Dispositive Motions:	November 10, 2023

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VI. CURRENT TRIAL DATE

There is not a current trial date scheduled on this matter. The parties will agree to a date that is convenient for the Court.

DATED this 16th day of May 2023.

DATED this 16th day of May 2023.

MESSNER REEVES LLP

G. DALLAS HORTON & ASSOCIATES

/s/ Edgar Carranza
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/s/ David Thomas
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Las Vegas, Nevada 89119
Attorney for Plaintiff
NANCY DERASMO

ORDER

IT IS SO ORDERED

Dated this 18th day of May, 2023.



UNITED STATE MAGISTRATE JUDGE

MESSNER REEVES LLP

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Patti Sherretts

From: David Thomas <DThomas@Gdallashorton.com>
Sent: Tuesday, May 16, 2023 11:16 AM
To: Patti Sherretts
Cc: Edgar Carranza; Ashley E. Walters; Vikki Weyandt
Subject: RE: Costco adv. Derasmo

[EXTERNAL EMAIL]

Looks great. You can use my signature. Thanks for drafting it.

From: Patti Sherretts <PSherretts@messner.com>
Sent: Tuesday, May 16, 2023 11:12 AM
To: David Thomas <DThomas@Gdallashorton.com>
Cc: Edgar Carranza <ECarranza@messner.com>; Ashley E. Walters <AWalters@messner.com>; Vikki Weyandt <VWeyandt@Gdallashorton.com>
Subject: Costco adv. Derasmo

Mr. Thomas:

Please find attached the proposed Stipulation and Order to Continue Deadlines (2nd Request). Please review and advise if we have your authority to affix your electronic signature.

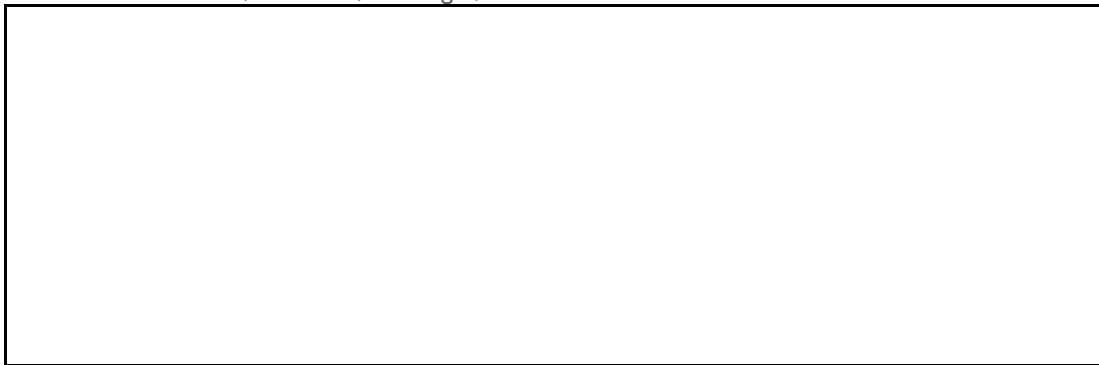
Thank you.

PATTI SHERRETTS

Legal Assistant

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