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

10 PERRY BRIAN OSHIRO,
11 Plaintiff,
12 v.
13 M. BACHMAN,
14 Defendant.

Case No.: 2:22-cv-2100-APG-BNW

**STIPULATION AND ORDER TO EXTEND TIME
FOR PLAINTIFF PERRY BRIAN OSHIRO TO
RESPOND TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

**Related to ECF No. 46
(First Request)**

16 In accordance with Rule IA 6–1 of the Local Rules of Civil Practice for the United States
17 District Court for the District of Nevada and Rule 6(b) of the Federal Rules of Civil Procedure,
18 Plaintiff Perry Brian Oshiro and Defendant Marissa Bachman, through their respective counsel,
19 stipulate and agree as follows:

- 20 1. On June 14, 2023, this Court entered an order granting Oshiro’s motion for
- 21 appointment of counsel (ECF No. 23).
- 22 2. On December 6, 2023, Bachman moved for summary judgment (ECF No. 46).
- 23 3. Oshiro’s response to the summary-judgment motion was due on December 27,
- 24 2023. *See* LR 7–2(b).
- 25 4. On January 3, 2024, counsel was appointed as pro bono counsel for Oshiro (ECF
- 26 No. 49).
- 27 5. When the appointment order was entered, Oshiro’s counsel was out of the country
- 28 and only recently returned. Counsel for Oshiro has not even been able to connect with his client.

1 6. Although pro bono counsel was not appointed until after the deadline to respond
2 to the summary-judgment motion, Oshiro’s failure to file his response before the deadline was the
3 result of excusable neglect. He likely was under the impression that counsel would respond on his
4 behalf, and allowing his appointed counsel to respond should help better facilitate resolution of
5 that motion.

6 7. To accommodate the recent appearance of Oshiro’s counsel and to provide
7 sufficient time to Oshiro’s counsel to discuss this matter with him, the parties have agreed to an
8 extension of the deadline for Oshiro to file his response to the summary-judgment motion.

9 8. The parties thus stipulate that Oshiro may have 30 days from the entry of the order
10 approving this stipulation to file a response to the summary-judgment motion.

11 9. This is the first request for an extension of time and is made in good faith and to
12 allow Oshiro time to brief the issues raised by Bachman. This request is not meant for purposes of
13 delay.

14 Dated: February 2, 2024

15 /s/ Jon T. Pearson
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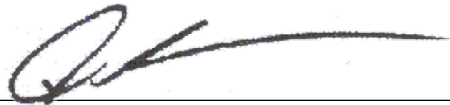
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28 *Counsel for Defendant Officer Marissa Bachman*

Order

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Dated: February 5, 2024