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15 **UNITED STATES DISTRICT COURT**
 16 **DISTRICT OF NEVADA**

17 JOYCE VICKERY, an individual,
 18
 19 Plaintiff,
 20 vs.
 21 DEMETRIC DANARD SOLOMON, an
 22 individual; DOES 1-20 and ROE BUSINESS
 23 ENTITIES 1-20, inclusive,
 24 Defendants.

CASE NO.: 2:23-cv-00137-CDS-BNW

STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
DEADLINES
(Second Request)

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**STIPULATION AND [PROPOSED] ORDER TO
EXTEND DISCOVERY DEADLINES
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff JOYCE VICKERY (“Plaintiff”), through her counsel of record, Dennis M. Prince, Angela M. Lee and Andrew R. Brown of PRINCE LAW GROUP and Alex J. De Castroverde and Orlando De Castroverde of DE CASTROVERDE LAW GROUP; and Defendant DEMETRIC DANARD SOLOMON (“Defendant”), through his counsel of record, Darrell D. Dennis and Michael R. Smith of LEWIS BRISBOIS BISGAARD & SMITH, LLP, that the discovery deadlines 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.

I.

DISCOVERY COMPLETED TO DATE

A. FRCP 26(a) Disclosures and Supplements

<u>Title</u>	<u>Date Served</u>
Plaintiff’s Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	March 29, 2023
Defendant’s Initial List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	April 11, 2023
Plaintiff’s First Supplement to her Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	July 7, 2023
Plaintiff’s Second Supplement to her Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	September 5, 2023
Plaintiff’s Third Supplement to her Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	October 12, 2023
Plaintiff’s Fourth Supplement to her Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	October 18, 2023

B. Written Discovery

<u>Title</u>	<u>Date Served</u>
Plaintiff’s First Set of Requests for Production of Documents to Defendant Demetric Danard Solomon	June 21, 2023
Plaintiff’s First Set of Interrogatories to Defendant Demetric Danard Solomon	June 21, 2023



1	Defendant's Responses to Plaintiff's First Set of Request for Production of Documents	July 28, 2023
2	Defendant's Answers to Plaintiff's First Set of Interrogatories	July 28, 2023
3	Defendant's First Set of Request for Admissions to Plaintiff	August 24, 2023
4	Defendant's First Set of Request for Production of Documents to Plaintiff	August 24, 2023
5	Defendant's First Set of Interrogatories to Plaintiff	August 24, 2023
6	Plaintiff's Responses to Defendant's First Set of Request for Admissions	October 10, 2023
7	Plaintiff's Response to Defendant's First Set of Request for Production of Documents	October 10, 2023
8	Plaintiff's Answer to Defendant's First Set of Interrogatories	October 10, 2023

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10 **C. Depositions**

<u>Deponent</u>	<u>Date</u>
11 Defendant Demetric Danard Solomon	August 2, 2023
12 Officer Stephen Kircher	August 3, 2023
13 Plaintiff Joyce N. Vickery	October 13, 2023

15 **II. DISCOVERY TO BE COMPLETED**

- 16 1. Depositions of witnesses.
- 17 2. The parties will retain and disclose rebuttal expert witnesses.
- 18 3. The parties will depose their respective expert witnesses.
- 19 4. The parties will engage in additional written discovery and notice any
- 20 additional depositions.

21 The parties anticipate that they may need to conduct other forms of discovery not

22 specifically delineated herein on an as-needed basis. Therefore, the list outlined above is

23 in no way intended to be a comprehensive list of the outstanding discovery that remains

24 to be completed.

25 **III.**

26 **REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS**

27 **AND NEEDS TO BE EXTENDED**

28 The parties respectfully request an extension of the discovery deadlines in this matter. The parties require additional time to schedule depositions, especially of the



1 expert witnesses. There have been many difficulties scheduling expert depositions,
2 especially during the fall/winter with various holidays and travel occurring.
3 Additionally, there is a discovery dispute with regard to certain requested documents,
4 for which the parties have been sending meet and confer letters. The parties need
5 additional time to determine whether a motion will need to be filed.

6 Although the parties have been diligently and cohesively working together to
7 complete discovery, a 90 day extension of these deadlines would provide the parties
8 additional time to ensure the parties have time to appropriately and fully litigate this
9 matter during the discovery phase. While the parties are engaged in good faith efforts to
10 coordinate depositions, they have been unable to notice the depositions in advance of the
11 current discovery deadline. In addition, while the parties are actively engaged in
12 discovery, there is insufficient time to clarify and discuss discovery disputes that have
13 arisen.

14 For these reasons, the parties believe there is good cause to extend the discovery
15 deadlines. *See* LR 26-3. “[D]istrict courts . . . retain broad discretion to control their
16 dockets . . .” *Shahrokhi v. Harter*, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS
17 247936, at *4 (D. Nev. Dec. 30, 2021). To prevail on a request to extend discovery
18 deadlines, the parties must establish good cause. *Johnson v. Mammoth Recreations, Inc.*,
19 975 F.2d 604, 608-09 (9th Cir. 1992). For the reasons set forth above, the parties
20 respectfully submit that good cause supports their requested stipulation for a ninety (90)
21 day extension of the discovery deadlines. The parties’ requested extension of the
22 discovery deadlines is not made in bad faith or to cause any unnecessary delays in the
23 resolution of this matter, but rather to facilitate cohesive resolution of this case.

24 **IV.**

25 **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

	<u>Current Date</u>	<u>Proposed Date</u>
26 Amend Pleadings and Add Parties:	June 13, 2023	Closed
27 Initial Expert Disclosures:	October 11, 2023	Closed
28 Rebuttal Expert Disclosures:	November 13, 2023	Remain the same



1 Close of Discovery: December 11, 2023 February 12, 2024¹
2 Dispositive Motions: January 09, 2024 April 8, 2024
3 Joint Pretrial Order: February 08, 2024 May 8, 2024

4 Based on the foregoing, the parties respectfully request this Court grant their
5 Stipulation and Order to Extend Discovery Deadlines (Second Request).

6 DATED November 20, 2023.

DATED November 20, 2023.

7 **PRINCE LAW GROUP**

**LEWIS BRISBOIS BISGAARD &
SMITH, LLP**

8 */s/ Dennis M. Prince*

/s/ Michael Smith

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24 *Attorneys for Defendants*

25 **ORDER**

26 **IT IS SO ORDERED.**

- 27 1. The discovery cut-off shall be **February 12, 2024**.
- 28 2. **Amending the Pleadings and Adding Parties**. The last date for filing motions to amend pleadings or to add parties shall not be later than 90 days prior to the close of discovery. In this action, the last date to file motions to amend the pleadings or add parties has **Closed**.
3. **FRCP 26(a)(2) Disclosures (Experts)**. The last day to disclose expert witnesses shall be 60 days before the discovery cut-off date. In this action, the last date to disclose experts has **Closed**. The date for the disclosure of rebuttal expert witnesses shall be 30 days after the initial disclosure of experts. In this action, the last date to disclose rebuttal

¹ The actual date falls on Sunday, February 11, 2024.



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experts shall remain the same November 13, 2023.

4. Dispositive Motions. The last date to file dispositive motions shall not be later than 30 days after the discovery cut-off date. In this action, the last date to file dispositive motions shall be April 8, 2024.

5. Joint Pretrial Order. The Joint Pretrial Order shall be filed no later than 30 days after the date set for filing dispositive motions. In this action, the joint pretrial order shall be filed on or before May 8, 2024.

6. FRCP 26(a)(3) Disclosures. The disclosures required by FRCP 26(a)(3) and any objections thereto shall be included in the Joint Pretrial Order.

DATED: 11/21/2023


UNITED STATES MAGISTRATE JUDGE