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16 UNITED STATES DISTRICT COURT
17 DISTRICT OF NEVADA

18 Gabriel Santacruz,
19 Plaintiff,
20 v.
21 Charles Daniels, *et al.*,
22 Defendants.

23 Case No. 2:23-cv-0258-APG-BNW

24 **Fifth Stipulation for Revised
25 Scheduling Order**

26 Pursuant to FRCP 16(b)(4) and Local Rule 26-2, and this Court's minute order
27 (ECF No. 90) the parties stipulate and agree to a new scheduling order concerning
28 the filing of an amended complaint and the completion of discovery. This is the fifth
29 stipulation concerning the discovery deadlines in this case. This request is made in
30 good faith and is supported by good cause.

STATEMENT OF FACTS IN SUPPORT OF STIPULATION

This case began with a pro se complaint filed by Plaintiff Gabriel Santacruz in February 2023, followed by a First Amended Complaint (FAC) on April 25, 2023. ECF 1, 6. The Court subsequently appointed counsel for Mr. Santacruz (ECF 16, 22), who entered an appearance on December 1, 2023 (ECF 23). The Defendants, represented by the Attorney General, filed an Answer on December 12 (ECF 24). The parties conferred and submitted a stipulated discovery plan on January 10, 2024, which the Court approved. (ECF 26, 27).

The parties have since exchanged initial disclosures and Mr. Santacruz served a Request for Production. After the parties agreed on an extension of time for productions sought by the Attorney General, the Defendants provided a First Supplement on March 1 and a Second Supplement and response to Plaintiff's request for production on March 8, 2024. The provided discovery already totals more than 1,000 pages.

The parties most recently submitted a joint scheduling order in July 2024, which the Court adopted. ECF No. 45. The parties afterwards completed a deposition of Defendant B. Omandac in September 2024. That aside, the parties have been largely engaged with extensive and contested procedural litigation since the filing of the last scheduling order, including Plaintiff's motion for leave to file the Second Amended Complaint (SAC), the Defendant's Motion to Dismiss the SAC, Defendants' motions for a stay pending the resolution of that Motion, and Plaintiff's motion to reconsider the granting of that request. *See generally* ECF Nos. 46-88.

On February 16, 2025 the Court entered an order on the Motion to Dismiss, granting it in part but giving Plaintiff leave to amend the complaint to address the issues noted in the Court's order. The Court subsequently directed the parties to submit a Discovery Plan/Scheduling Order by March 5, 2025.

1 Having conferred, the parties accordingly request the Court set the following
2 deadlines for the filing of additional pleadings and the completion of discovery in this
3 case:

- 4 • Discovery in this action be completed on or before September 2, 2025;
- 5 • The amended complaint this Court gave the Plaintiff leave to file (ECF
6 89) shall be submitted by March 20, 2025;
- 7 • Defendants shall file a response to this pleading by April 10, 2025;
- 8 • Expert disclosures must be made on or before July 3, 2025, and
9 disclosures of rebuttal experts must be made on August 5, 2025.
- 10 • Dispositive Motions shall be served and filed no later than October 2,
11 2025;
- 12 • Joint Pretrial Order: that it be due on November 3 2025. If dispositive
13 motions are filed, the deadline for filing the joint pretrial order will be
14 suspended until 30 days after decision on the dispositive motions or
15 further court order.

CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their stipulated discovery plan and scheduling order.

Dated March 5, 2025,

Aaron D. Ford
Attorney General

s/Leo T. Hedges

Leo T. Hedges
Deputy Attorney General

Rene L. Valladares
Federal Public Defender

s/ Ryan Norwood
Ryan Norwood
Assistant Federal Public Defender

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

Dated: March 6, 2025