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9 *Attorneys for Petitioner Gabriel Santacruz

10
 11 UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

12 Gabriel Santacruz,

13 Plaintiff,

14 v.

15 Charles Daniels, *et al.*,

16 Defendants.
 17

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

**Fifth Stipulation for Revised
 Scheduling Order**

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 19 Pursuant to FRCP 16(b)(4) and Local Rule 26-2, and this Court's minute order
 20 (ECF No. 90) the parties stipulate and agree to a new scheduling order concerning
 21 the filing of an amended complaint and the completion of discovery. This is the fifth
 22 stipulation concerning the discovery deadlines in this case. This request is made in
 23 good faith and is supported by good cause.
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1 **STATEMENT OF FACTS IN SUPPORT OF STIPULATION**

2 This case began with a pro se complaint filed by Plaintiff Gabriel Santacruz in
3 February 2023, followed by a First Amended Complaint (FAC) on April 25, 2023. ECF
4 1, 6. The Court subsequently appointed counsel for Mr. Santacruz (ECF 16, 22), who
5 entered an appearance on December 1, 2023 (ECF 23). The Defendants, represented
6 by the Attorney General, filed an Answer on December 12 (ECF 24). The parties
7 conferred and submitted a stipulated discovery plan on January 10, 2024, which the
8 Court approved. (ECF 26, 27).

9 The parties have since exchanged initial disclosures and Mr. Santacruz served
10 a Request for Production. After the parties agreed on an extension of time for
11 productions sought by the Attorney General, the Defendants provided a First
12 Supplement on March 1 and a Second Supplement and response to Plaintiff's request
13 for production on March 8, 2024. The provided discovery already totals more than
14 1,000 pages.

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

23 On February 16, 2025 the Court entered an order on the Motion to Dismiss,
24 granting it in part but giving Plaintiff leave to amend the complaint to address the
25 issues noted in the Court's order. The Court subsequently directed the parties to
26 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.

1 **CONCLUSION**

2 Based on the foregoing and for good cause appearing, the Parties respectfully
3 request that the Court approve their stipulated discovery plan and scheduling order.
4

5 Dated March 5, 2025,
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7 Aaron D. Ford
8 Attorney General

Rene L. Valladares
Federal Public Defender

9 s/Leo T. Hendges
10 Leo T. Hendges
11 Deputy Attorney General

s/ Ryan Norwood
Ryan Norwood
Assistant Federal Public Defender

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14 IT IS SO ORDERED:

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17 UNITED STATES MAGISTRATE JUDGE

18 Dated: March 6, 2025
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