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8 Attorneys for Defendant,  
9 *KEY INSURANCE COMPANY*

10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**  
12

13 LUCIA COVARRUBIAS, an Individual,  
14 MARIA DE JESUS RODRIGUEZ, an  
Individual, ESTATE OF OSCAR  
15 ALFREDO AYALA, Individually and as  
Assignees of PABLO C. TORRES-  
16 ESPARZA

17 Plaintiff,

18 vs.

19 KEY INSURANCE COMPANY, and  
20 DOES I - V, and ROE CORPORATIONS  
I - V, inclusive,  
21

22 Defendants.

CASE NO.: 2:23-cv-00291-APG-DJA

23 **STIPULATION AND PROPOSED TO EXTEND TIME TO COMPLETE DISCOVERY**  
24 **(SECOND REQUEST)**

25 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs LUCIA  
26 COVARRUBIAS, MARIA DE JESUS RODRIGUEZ, and the ESTATE OF OSCAR  
27 ALFREDO AYALA and their counsel of record, David F. Sampson, Esq., of the Law Offices of  
28 David Sampson, and Defendant KEY INSURANCE COMPANY, through its counsel of record

James P.C. Silvestri, Esq., and Ali R. Iqbal, Esq., of the law firm Pyatt Silvestri, that the close of discovery shall be extended 60 days, pursuant to L.R. 26-3. This is the secibd request made by the parties. The parties set forth the following information in support of their stipulation.

**a) Statement Specifying the Discovery Completed.**

Plaintiffs made their initial disclosures as required by FRCP 26(a)(1) on April 25, 2023, a supplemental disclosure on June 21, 2023, a second supplemental disclosure on August 11, 2023, a third supplemental disclosure on August 17, 2023, and a fourth supplemental disclosure on November 6, 2023. Defendant made its initial disclosures as required by FRCP 26(a)(1) on April 5, 2023, a supplemental disclosure on May 25, 2023, a second supplemental disclosure on June 20, 2023, a third supplemental disclosure on October 20, 2023, and a fourth supplemental disclosure on October 27, 2023.

On April 25, 2023, Plaintiffs served their first sets of Interrogatories and Requests for Production of Documents on Defendant. On May 25, 2023, Defendant responded to Plaintiffs' Interrogatories and Requests for Production of Documents. On June 22, 2023, Defendant served supplemental responses to Plaintiffs' Requests for Production of Documents and supplemental Answers to Plaintiffs' Interrogatories. On July 14, 2023, Defendant served their first sets of Interrogatories, Requests for Production of Documents, and Requests for Admissions to Plaintiffs. Defendant has requested the availability of Plaintiffs for depositions. On August 17, 2023, Plaintiffs answered Defendant's first set of written discovery.

On September 12, 2023, the parties submitted a stipulated confidentiality and protective order. On October 23, 2023, Defendant served its Initial Designation of Expert Witness and Disclosure. On October 27, 2023, Defendant' provided its second supplemental responses to Plaintiff's Requests for Production of Documents. On November 9, 2023, Plaintiff served their second set of Request for Production of Documents to Defendant.

**b) Discovery That Remains to Be Completed.**

The extension is necessary so the parties can conduct further discoveries and requests time to do that is beyond the current close of discovery. Plaintiffs have asked to depose, and have set the depositions of, the Defendant's 30(b)(6) witness as well as Defendant's expert.

1       c) **Reasons Discovery Was Not Completed Within the Time Limits and Needs to Be**  
2       **Extended**

3       The parties are making a request to extend only the deadlines related to the Close of  
4       Discovery, Dispositive Motions, and joint Pre-Trial Order, all of which have not passed.  
5       Pursuant to FRCP 6(b)(1)(A), and specifically LR 26-3, “a stipulation to extend any date set by  
6       the discovery plan, scheduling order, or other order must....be supported by a showing of good  
7       cause for the extension. A...stipulation to extend a deadline set forth in a discovery plan must be  
8       received by the court no later than 21 days before the expiration of the subject deadline.”

9       Here, there exists good cause for the extension of the discovery deadlines and this  
10      Request is being made well before the close of discovery deadline, which is currently, December  
11      21, 2023. There exists good cause since the parties have both been actively working together in  
12      order to schedule depositions of the respective parties. Plaintiffs have requested depositions of  
13      Key Insurance Company’s representatives and Defendant’s expert, however the date requested is  
14      such that is a conflict for Defendant’s counsel as well as Defendant. Further, Defendants have  
15      requested the depositions of Plaintiffs and are working to obtain availability in order to do so.  
16      Defendants also plan to take the depositions of two additional witnesses identified by the parties.

17      Further, Plaintiff and Defendant’s counsel have a trial scheduled in another matter that  
18      has been blocked out by the court from December 11, 2023, until December 21, 2023.<sup>1</sup>  
19      Therefore, in order to accommodate both parties’ schedules near the close of discovery, the  
20      parties stipulate to extend the close of discovery deadline in order to complete depositions in a  
21      timely manner and work with their respective schedules, especially considering the trial schedule  
22      of the parties.

23      d) **Proposed Schedule for Completing All Remaining Discovery**

24      In order to allow time for the parties to resolve and complete additional necessary  
25      discovery before they exchange expert reports, the parties which to extend existing deadlines by  
26      90 days, for good cause as demonstrated above, as follows:  
27

28      <sup>1</sup> Eighth Judicial District Court, Case No.: A-19-791828-C.

	<u>Current Date</u>	<u>Proposed Date</u>
Amend Pleadings and Add Parties	May 23, 2023	Closed
Initial Expert Disclosures	October 23, 2023	Closed
Rebuttal Expert Disclosures	November 21, 2023	November 21, 2023
Close of Discovery	December 21, 2023	<b>March 20, 2024</b>
Dispositive Motions	January 22, 2024 <sup>2</sup>	<b>April 19, 2024</b>
Joint Pretrial Order	February 19, 2024	<b>May 20, 2024<sup>3</sup></b>

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

Respectfully Submitted this 13<sup>th</sup> day of November 2023.

**PYATT SILVESTRI**

**LAW OFFICES OF DAVID SAMPSON**

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/s/David F. Sampson  
 DAVID F. SAMPSON, ESQ.  
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*Attorney for Plaintiffs*

**ORDER**

IT IS SO ORDERED.

DATED: 11/14/2023

  
 UNITED STATES MAGISTRATE JUDGE

<sup>2</sup> The actual date falls on a Saturday, January 20, 2024.

<sup>3</sup> The actual date falls on a Sunday, March 19, 2024.

## Jennifer Garcia

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**From:** David Sampson <david@davidsampsonlaw.com>  
**Sent:** Sunday, November 12, 2023 2:22 PM  
**To:** Ali Iqbal; David Sampson  
**Cc:** Amanda Nalder; James Silvestri; Barbara Abbott; Jennifer Garcia  
**Subject:** Re: Covarrubias et. al. v. Key Insurance

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This is fine. Thank you. You may affix my e-signature and file the same.

Thanks,

On Sun, Nov 12, 2023 at 1:12 PM Ali Iqbal <[aiqbal@pyattsilvestri.com](mailto:aiqbal@pyattsilvestri.com)> wrote:

I've made those changes, it is attached. We will submit this tomorrow.

Best,

Ali R. Iqbal, Esq.



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