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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRAVIS NUTSCH, an individual,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a Municipal Corporation;
OFFICER TIMOTHY NYE, an individual;
OFFICER GEORGE AJAM, an individual;
OFFICER GENE WOLFANGER, an
individual; OFFICER KELLEY FURNAS,
an individual; OFFICER ISRAEL CRUZ
CAMACHO, an individual; OFFICER
GABRIEL LEA, an individual; DOE
OFFICERS III-VII, individuals

Defendants.

Case No.: 2:23-cv-01101-JCM-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER DEADLINES**

(FIRST REQUEST)

Plaintiff Travis Nutsch, by and through his respective counsel, and Defendants Las Vegas Metropolitan Police Department, Officer Timothy Nye, Officer George Ajam, and Officer Gene Wolfanger, Officer Kelly Furnas, Officer Israel Cruz Camacho, and Officer Gabriel Lea, (“LVMPD Defendants”), by and through their respective counsel (collectively “the Parties”), hereby stipulate and agree to extend the Discovery Plan and Scheduling Order deadlines an additional sixty (60) days. This Stipulation is being entered in good faith and not for purposes of delay. This is the first request for an extension in this matter.

1 **1. STATUS OF DISCOVERY.**

2 **A. PLAINTIFF'S DISCOVERY**

3 1. Plaintiff's Initial Disclosures and Production of Documents Pursuant to Fed.
4 R. Civ. P. 26.1, dated August 28, 2023.

5 2. Plaintiff's First Set of Requests for Production to Defendant Las Vegas
6 Metropolitan Police Department, dated October 12, 2023.

7 **B. DEFENDANTS' DISCOVERY**

8 1. Defendants' Initial List of Witnesses and Documents Pursuant to Fed. R.
9 Civ. P. 26.1 dated August 30, 2023,

10 **2. DISCOVERY THAT REMAINS TO BE COMPLETED.**

11 The Parties are actively conducting discovery.

12 Plaintiffs need additional time to receive and review documents produced by
13 Defendants; Defendants have requested a two-week extension of the November 14, 2023,
14 deadline.

15 The Parties' primary remaining discovery tasks include: (1) addressing any
16 remaining meet and confer issues and finishing written discovery; (3) scheduling of
17 depositions; and (3) expert discovery. Further, the Parties intend to save resources by having
18 any expert disclosures follow the completion of fact discovery, to avoid the time and expense
19 related to supplementing reports.

20 **3. SPECIFIC DESCRIPTION OF WHY EXTENSION IS NECESSARY.**

21 This is the first request for an extension of discovery deadlines in this matter. The
22 Parties request that the Discovery Plan and Scheduling Order deadlines be extended an
23 additional sixty (60) days so that the Parties may complete the tasks above.

24 The Parties acknowledge that, pursuant to Local Rule 26-3, a stipulation to extend
25 a deadline set forth in a discovery plan must be submitted to the Court no later than twenty-
26 one (21) days before the expiration of the subject deadline, and that a request made within
27 twenty-one (21) days must be supported by a showing of good cause. Here, almost all of the
28 deadlines the Parties seek to extend are outside of the twenty-one (21) day window, the

deadline for initial expert disclosures, however, is within the twenty-one (21) day window. Thus, the Parties must establish that good cause exists to extend these deadlines. Pursuant to Local Rule 26-3, the Parties submit that good cause exists for the extension requested.

The Parties have been diligently conducting discovery, but an extension is needed to efficiently continue to conduct discovery, analyze the information provided, and manage the case. The Parties are resolving issues and meeting and conferring regarding related issues.

Finally, the Parties together request this in good faith and to further the resolution of this complicated case on the merits, and not for any purpose of delay.

There is thus good cause for the extension. “Good cause to extend a discovery deadline exists ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” *Derosa v. Blood Sys., Inc.*, No. 2:13-cv-0137-JCM-NJK, 2013 U.S. Dist. LEXIS 108235, 2013 WL 3975764, at 1 (D. Nev. Aug. 1, 2013) (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)); *see also* Fed. R. Civ. P. 1 (providing that the Rules of Civil Procedure “should be construed, administered, and employed by the court and the Parties to secure the just, speedy, and inexpensive determination of every action and proceeding”). The Parties have been diligent in litigating this matter. Thus, the standard to extend all deadlines is satisfied here.

Based on the foregoing stipulation and proposed deadlines plan, the Parties thus respectfully request an extension of time to extend the discovery in this matter to enable to them to conduct necessary discovery in this matter and so that this matter is fairly resolved on the merits.

4. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DEADLINES

Deadline	Current Deadline	Proposed New Deadline
Amend Pleadings and Add Parties	Past	unchanged
Initial Expert Disclosures	November 13, 2013	January 12, 2023 4

Rebuttal Expert Disclosures	December 11, 2023	February 9, 2024
Discovery Cut-Off	January 10, 2024	March 11, 2024¹
Dispositive Motions	February 9, 2024	April 9, 2024
Joint Pretrial Order	March 11, 2024	April 10, 2024 (If dispositive motions are filed, the deadline shall be suspended until thirty (30) days after the decision of the dispositive motions or further order of the Court.)

Based on the foregoing stipulation and proposed deadlines plan, the Parties request that the Discovery Plan and Scheduling Order deadlines be extended an additional sixty (60) days so that the parties may conduct necessary discovery.

¹ Sixty (60) days from January 10, 2024, is Sunday, February 10, 2024

1 **IT IS SO STIPULATED.**

2 DATED this 13th day of November, 2023.

DATED this 13th day of November, 2023.

3 **MCLETCHIE LAW**

MARQUIS AURBACH

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12 **ORDER**

13 **IT IS SO ORDERED.**

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17 ~~U.S. DISTRICT COURT~~ MAGISTRATE JUDGE

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19 Dated this 14th day of November 2023.
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