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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 KAREN MARIE KOCH,

9 Plaintiff,

10 v.

11 WALMART INC., a Foreign Corporation d/b/a
12 Walmart #2593; DOES I through X; and ROE
13 CORPORATIONS I through X, inclusive,

14 Defendants.

Case No. 2:23-cv-01534-CDS-EJY

15 **STIPULATION AND ORDER TO
CONTINUE MOTION FOR ADVERSE
INTERFERENCE, EVIDENTIARY
SANCTIONS, AND REQUEST TO
STRIKE ANSWER**

16 Plaintiff, KAREN MARIE KOCH ("Plaintiff"), and Defendant, WALMART, INC.
17 ("Defendant" or "Walmart"), by and through their respective attorneys of record, hereby submit
18 this Stipulation and Order to Continue Plaintiff Motion for Adverse Inference, Evidentiary
19 Sanctions, and Request to Strike Answer.

20 1. On February 27, 2025, Plaintiff filed a Motion for Adverse Inference, Evidentiary
21 Sanctions, and Request to Strike Answer (the "Motion").

22 2. Absent approval by the court and Plaintiff's counsel of an extension to respond to
23 the motion, the response would be due March 13, 2025.

24 3. Subsequent to the filing of the Motion, counsel conferred and have agreed to
25 mediate the case before the Honorable Jackie Glass (Ret.) on April 25, 2025.

26 4. Counsel also have agreed, subject to the approval by this court, to postpone the

1 response date of Walmart to the Motion to May 2, 2025. Plaintiff's reply to the Walmart
2 response would be due May 9, 2025.

3 5. If the case settles on April 25, 2025, counsel will file a Notice of Settlement with
4 the court and simultaneously request the court take the Motion off calendar. If the case does not
5 settle on April 25, 2025, the motion will remain on calendar and the response and reply briefs
6 will be filed, respectively, on or before May 2, 2025 and May 9, 2025.
7

8 It is so stipulated.

9 Dated this 10th day of March 2025.

Dated this ____ day of March 2025.

10 MOSS BERG INJURY LAWYERS

TYSON & MENDES LLP

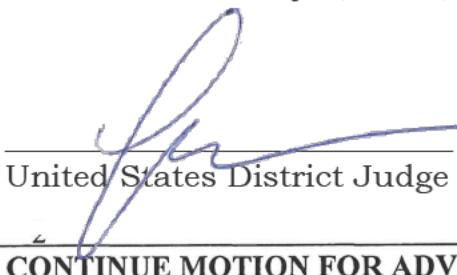
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17

18 Based on the parties' stipulation, the response and reply deadlines to
19 plaintiff's motion for an adverse inference, evidentiary sanctions, and request
20 to strike are stayed pending the outcome of the April 25, 2025, mediation;
and plaintiff's motion for an adverse inference **[ECF No. 29] is denied as**
21 **moot.**

22 The parties must file a notice of settlement, or a joint status report,
23 within seven days of the conclusion of mediation. If the parties are unable to
24 settle their dispute through mediation, the motion will be reopened and the
response and reply briefs must be filed on or before May 2, 2025, and May 9,
2025.

25 Dated: March 11, 2025

26 
United States District Judge

27
28 STIPULATION AND ORDER TO CONTINUE MOTION FOR ADVERSE
INTERFERENCE, EVIDENTIARY SANCTIONS, AND REQUEST TO STRIKE
ANSWER