

1 Yitzchak Zelman, Esq.  
 2 *Admitted Pro Hac Vice*  
 3 MARCUS & ZELMAN, LLC  
 4 701 Cookman Avenue, Suite 300  
 5 Asbury Park, New Jersey 07712  
 6 Phone: (845) 367-7146  
 7 FAX: (732) 298-6256  
 8 Email: yzelman@marcuszelman.com  
 9 *Attorneys for Plaintiff*  
 10 *April Zacarias*

8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

11 APRIL ZACARIAS,

12 Plaintiff,

13 vs.

14  
 15 EXPERIAN INFORMATION  
 16 SOLUTIONS, INC., EQUIFAX  
 17 INFORMATION SERVICES, LLC, and  
 18 ALLIED COLLECTION SERVICES,  
 19 INC.,

20 Defendants.

Case No.: **2:23-cv-01621-JAD-DJA**

**DISCOVERY PLAN AND  
PROPOSED SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW  
REQUESTED**

21 **SUBMITTED IN COMPLIANCE WITH LR 26-1(b)**

22 Plaintiff APRIL ZACARIAS and Defendants EXPERIAN INFORMATION  
 23 SOLUTIONS, INC. and EQUIFAX INFORMATION SERVICES, LLC<sup>1</sup>, by and  
 24

25  
 26 \_\_\_\_\_  
 27 <sup>1</sup> Plaintiff has accepted the Offer of Judgment served by Defendant Allied Collection  
 28 Services, Inc., who has therefore not joined in the submission of this instant Discovery  
 Plan and Scheduling Order.

1 through their counsel of record, hereby submit their stipulated Discovery Plan and  
2 Scheduling Order pursuant to Federal Rule of Civil Procedure 16 and 26, as well as LR  
3  
4 16-1 and 26-1.

5 It is hereby requested that the Court enter the following discovery plan and  
6 scheduling order:  
7

8 **1. Discovery Plan<sup>2</sup>:**

9	Discovery Cut-Off	<b>08/16/2024</b> (270 days from the date 10 Defendant filed its Answer)
11	Deadline to Amend Pleadings	<b>05/17/2024</b> (90 days prior to the close of 12 discovery)
13	Deadline to Disclose Initial Expert 14 Disclosures	<b>06/17/2024</b> (60 days prior to the close of discovery)
15	Deadline to Disclose Rebuttal Expert 16 Disclosures	<b>07/17/2024</b> (30 days after the Initial Disclosure of Experts)
17	Deadline to File Dispositive Motions	<b>09/16/2024</b> (30 days after the close of 18 discovery)

19 **3. Pre-Trial Order:** The parties shall file a joint pretrial order no later than  
20 **10/16/2024** or thirty (30) days after the date set for filing dispositive motions. In the  
21 event that parties file dispositive motions, the date for filing the joint pretrial order  
22  
23  
24

25 \_\_\_\_\_  
26 <sup>2</sup> The parties inadvertently never filed their proposed Discovery Plan and Scheduling  
27 Order back in January, so they never commenced discovery, making some of these  
28 deadlines outdated. The parties therefore jointly seek a short extension of the deadlines  
set forth in the Local Rules.

1 shall be suspended until thirty (30) days after decision on the dispositive motions or  
2 further order of the Court.  
3

4 **4. Extensions or Modifications of the Discovery Plan and Scheduling**

5 **Order:** Applications to extend any date set by the discovery plan, scheduling order,  
6 or other order must comply with the Local Rules.  
7

8 **5. Initial Disclosures:** The parties shall make initial disclosures on or before  
9 **05/06/2024**. Any party seeking damages shall comply Federal Rules of Civil Procedure  
10 26(a)(1)(A)(iii).  
11

12 **6. Protective Order:** The parties may seek to enter a stipulated protective order  
13 pursuant to Rule 26(c) prior to producing any confidential documents.  
14

15 **7. Electronic Service:** The parties agree that pursuant to Rules 5(b)(2)(E) and  
16 6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be  
17 served by sending such documents by email.  
18

19 **8. Alternative Dispute Resolution Certification:** The parties certify that they  
20 met and conferred about the possibility of using alternative dispute-resolution  
21 processes including mediation, arbitration, early neutral evaluation. The parties have  
22 not reached any stipulations at this stage.  
23

24 **9. Alternative Forms of Case Disposition Certification:** The parties certify  
25 that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c)  
26  
27  
28

1 and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-  
 2 01). The parties have not reached any stipulations at this stage.  
 3

4 **10. Electronically Stored Evidence.**  
 5

6 The parties have discussed the retention and production of electronic data. The  
 7 parties agree that service of discovery by electronic means, including sending original  
 8 electronic files by email or on a CD is sufficient. The parties reserve the right to revisit  
 9 this issue if a dispute or need arises.  
 10

11 **11. Electronic Evidence Conference Certification:** The parties further intend  
 12 to present evidence in electronic format to jurors for the purposes of jury deliberations  
 13 at trial. The parties discussed the presentation of evidence for juror deliberations but  
 14 did not reach any stipulations as to the method at this early stage.  
 15  
 16

17  
 18 Dated April 2, 2024  
 19

<p>20 <u>/s/Yitzchak Zelman, Esq.</u>                  Yitzchak Zelman, Esq.                  21 MARCUS &amp; ZELMAN, LLC                  22 701 Cookman Avenue, Suite 300                  Asbury Park, New Jersey 07712                  23 (845) 367-7146                  yzelman@marcuszelman.com                  24 PRO HAC VICE                  25 Attorney for Plaintiff                  26</p>	<p><u>/s/ Jennifer L. Braster</u>                  Jennifer L. Braster, Esq.                  NAYLOR &amp; BRASTER                  10100 W. Charleston Blvd., Suite 120                  Las Vegas, NV 89135                  (702) 420-7000                  jbraster@naylorandbrasterlaw.com                  Attorney for Defendant                  Experian Information Solutions, Inc.</p>
	<p>27 <u>/s/ Gia Marina</u>                  28 Gia Marina, Esq.</p>

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	CLARK HILL PLC 1700 South Pavilion Center Dr, Ste 500 Las Vegas, NV 89135 (702) 862-8300 gmarina@clarkhill.com Attorney for Defendant Equifax Information Services, LLC
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**SCHEDULING ORDER**

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED



\_\_\_\_\_  
United States Magistrate Judge

Dated: \_\_4/29/2024 \_\_\_\_