

SAO

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8 Attorneys for Defendant,
 SPARKS MARKETING, LLC
 9

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

13 PIRAYEH M. NAJMABADI, an
 individual,
 14
 Plaintiff,
 15

16 vs.

17 THELIOS USA INC., a Foreign
 Corporation; LVMH MOET HENNESSY
 LOUIS VUITTON INC., a Foreign
 18 Corporation; SPARKS MARKETING,
 LLC, a Foreign Limited-Liability
 19 Company; DOES I through X; and ROE
 CORPORATIONS XI through XX,
 20 inclusive,

21 Defendants.
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Case No. 2:24-cv-00217-GMN-DJA

~~STIPULATION AND ORDER~~
TO EXTEND DISCOVERY
DEADLINES (FIRST REQUEST)

23 **IT IS HEREBY STIPULATED AND AGREED TO** by and between Plaintiff

24 PIRAYEH M. NAJMABADI (“Plaintiff”), by and through her attorney of record,
 25 Brian E. Lunt, Esq. of the law firm Edward M. Bernstein & Associates, and Defendants
 26 THELIOS USA INC., and LVMH MOET HENNESSY LOUIS VUITTON INC., by
 27 and through their attorney of record, Loren S. Young, Esq. of the law firm Lincoln
 28 Gustafson & Cercos LLP, and Defendant SPARKS MARKETING, LLC (“Defendant

1 Sparks”), by and through its attorneys of record, Lucian J. Greco, Esq., and Melissa
2 Ingleby, Esq., of the law firm Bremer Whyte Brown & O’Meara LLP, and for good
3 cause that the discovery deadlines in the above-entitled matter be extended by one
4 hundred twenty (120) days to allow for necessary discovery.

5 **I.**

6 **DISCOVERY COMPLETED TO DATE**

7 Listed below is a statement specifying the discovery completed in this case:

8 1. Plaintiff’s Initial List of Witnesses and Production of Documents made pursuant
9 to FRCP 26(a)(1).

11 2. Defendants’ THELIOS USA INC., and LVMH MOET HENNESSY LOUIS
12 VUITION INC Initial List of Witnesses and Production of Documents made pursuant
13 to FRCP 26(a)(1).

15 3. Defendant SPARKS MARKETING, LLC Initial List of Witnesses and
16 Production of Documents made pursuant to FRCP 26(a)(1).

18 **II.**

19 **DISCOVERY REMAINING TO BE COMPLETED**

20 The Parties plan to complete the following discovery:

- 21 1. Written discovery of all parties;
- 22 2. Subpoena new medical records for recent treatment of Plaintiff
- 23 3. Depositions of various witnesses including, but not limited to:
- 24 a. The parties;
- 25 b. The parties’ retained initial and rebuttal experts; and
- 26
- 27
- 28

- 1 c. Other percipient witnesses as needed;
- 2 4. Initial Expert Disclosures;
- 3 5. Rebuttal Expert Disclosures; and
- 4 6. Other discovery as needed.

6 **III.**

7 **REASONS DISCOVERY HAS NOT BEEN COMPLETED**

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9 Good cause exists to grant the Parties' request for an extension to discovery
10 deadlines. This is the first request for an extension. Despite the parties' diligence and
11 good faith attempts to pursue discovery in preparation for their respective case,
12 majority of discovery remains to be completed.
13
14

15 To that end, the parties recently learned of two new parties that must be brought
16 into the case. As a result, the parties agreed to stipulate to leave to file a Third-Party
17 Complaint and bring the new parties into the matter. A Stipulation and Order in that
18 regard was recently granted. Therefore, the parties respectfully request a 120-day
19 extension to allow the new third party to participate in discovery. As such, the
20 deadlines cannot be reasonably met despite the diligence of the Parties who seek the
21 extension. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir.
22 1992).
23
24

25 The parties are actively engaging in discovery in this matter. Furthermore, the
26 parties are acting in good faith in filing this Stipulation and without an intent to
27 improperly delay the proceedings. Continuing the deadlines for completing discovery
28

1 will not prejudice any party or have a negative impact upon the judicial administration
2 of this Honorable Court. Accordingly, the Parties are requesting a 120-day extension
3 to all remaining discovery deadlines.
4

5 **IV.**

6 **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

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8 The Parties hereto, and for good cause described in this stipulation, and in
9 accord with Local Rule 6-1 and Local Rule 26-3, request this Honorable Court to adopt
10 and approve this stipulated extension to the discovery plan, and continue the discovery
11 deadlines as requested below:

DISCOVERY EVENT	CURRENT DEADLINES	PROPOSED DEADLINES
Add Parties and Amended Pleadings	April 30, 2024	August 28, 2024
Initial Expert Disclosures	May 30, 2024	September 27, 2024
Rebuttal Expert Disclosures	June 28, 2024	October 28, 2024
Close of Discovery	July 29, 2024	November 29, 2024
Dispositive Motions	August 28, 2024	December 26, 2024
Joint Pre-Trial Order	September 27, 2024	January 27, 2025

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1 The parties hereby stipulate to the proposed changes in the discovery deadlines.

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3 Dated: April 30th, 2024

Dated: April 30th, 2024

4

5 BREMER WHYTE BROWN
& O'MEARA LLP

EDWARD M. BERNSTEIN &
ASSOCIATES

6

7 /s/ Melissa Ingleby

/s/ Brian E. Lunt

8 LUCIAN J. GRECO, JR., ESQ.

BRIAN E. LUNT, ESQ.

9 Nevada State Bar No. 10600

Nevada State Bar No. 11189

10 MELISSA INGLEBY, ESQ.

500 South Fourth Street

11 Nevada Bar No. 12935

Las Vegas, Nevada 89101

12 1160 North Town Center Drive

Attorney for Plaintiff

13 Suite 250

14 Las Vegas, Nevada 89144

15 *Attorneys for Defendant*

16 *SPARKS MARKETING, LLC*

17

18 Dated: April 30th, 2024

19 LINCOLN, GUSTAFSON & CERCOS

20 /s/ Loren S. Young

21 LOREN S. YOUNG, ESQ.

22 Nevada State Bar No. 7567

23 7670 West Lake Mead Boulevard

24 Las Vegas, Nevada 89128

25 *Attorney for Defendants*

26 *THELIOS USA INC. & LVMH MOET*

27 *HENNESSY LOUIS VUITTON INC.*

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ORDER

Based upon the stipulation of the parties hereto, and for good cause appearing:
IT IS HEREBY ORDERED that the discovery deadlines are extended as follows:

Event:	Deadline:
Motions to amend pleadings and add parties:	August 28, 2024
Expert Designations:	September 27, 2024
Rebuttal Expert Designations:	October 28, 2024
Discovery Cutoff Date:	November 29, 2024
Dispositive Motions:	December 26, 2024
Joint Pre-Trial Order:	January 27, 2025



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: May 1, 2024

Respectfully submitted,
BREMER WHYTE BROWN & O'MEARA LLP

By: /s/ Melissa Ingleby
LUCIAN J. GRECO, JR., ESQ.
Nevada Bar No. 10600
MELISSA INGLEBY, ESQ.
Nevada Bar No. 12935
Attorneys for Defendant
Sparks Marketing, LLC

Kay Agustin

Subject: FW: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Importance: High

From: Brian E. Lunt <blunt@edbernstein.com>

Sent: Tuesday, April 30, 2024 4:04 PM

To: Melissa Ingleby <mingleby@bremerwhyte.com>; Loren Young <lyoung@lgclawoffice.com>; Cheryl Giammona <CGiammona@lgclawoffice.com>; Alicia Lutz <alutz@edbernstein.com>

Cc: Lucian J. Greco, Jr. <lgreco@bremerwhyte.com>; Kay Agustin <kagustin@bremerwhyte.com>; Katarzyna A. Hunt <khunt@bremerwhyte.com>; NajmabadiTheliosLVMHZ4560627@lgclawoffice.filevineapp.com

Subject: Re: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Melissa,

You have my permission to use my electronic signature as well.

Sincerely,

Brian E. Lunt, Esq

Senior Associate Attorney

Edward M. Bernstein & Associates

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blunt@edbernstein.com



From: Melissa Ingleby <mingleby@bremerwhyte.com>

Sent: Tuesday, April 30, 2024 12:27 PM

To: Loren Young <lyoung@lgclawoffice.com>; Brian E. Lunt <blunt@edbernstein.com>; Cheryl Giammona <CGiammona@lgclawoffice.com>; Alicia Lutz <alutz@edbernstein.com>

Cc: Lucian J. Greco, Jr. <lgreco@bremerwhyte.com>; Kay Agustin <kagustin@bremerwhyte.com>; Katarzyna A. Hunt <khunt@bremerwhyte.com>; NajmabadiTheliosLVMHZ4560627@lgclawoffice.filevineapp.com

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Subject: RE: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Thanks for catching that, Loren!

Brian – any changes?

Thanks, all!

Melissa Ingleby

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From: Loren Young <lyoung@lgclawoffice.com>

Sent: Tuesday, April 30, 2024 10:29 AM

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Cc: Lucian J. Greco, Jr. <lgreco@bremerwhyte.com>; Kay Agustin <kagustin@bremerwhyte.com>; Katarzyna A. Hunt <khunt@bremerwhyte.com>; NajmabadiTheliosLVMHZ4560627@lgclawoffice.filevineapp.com

Subject: RE: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Thanks. I had a couple redlines to the attached.