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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SONNY CUEVAS SOLAR, individually;
ROGELIO MACIA DIAZ, individually,

Case No. : 2:24-cv-01260-CDS-NJK

Plaintiffs,

VS.

UNITED STATES POSTAL SERVICE;
DOES I through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

**STIPULATION AND ORDER TO MODIFY
EXISTING SCHEDULING ORDER**

(Second Request)

Pursuant to LR IA 6-1 and 6-2 of the Local Rules of Practice of the U.S. District Court for the District of Nevada, Plaintiffs, SONNY CUEVAS SOLAR and ROGELIO MACIA DIAZ (“Plaintiffs”), and the United States of America, on behalf of the United States Postal Service (“Federal Defendant” or “Defendant”), (collectively the “Parties”) jointly agree, by and through their respective counsel of record, to stipulate and request that the Court extend discovery for twenty-two (22) days. This is the Parties’ second stipulation to extend time to take discovery. In support thereof, the Parties provide the following:

J.

CONDUCTED DISCOVERY

1. On March 13, 2025, the Court granted the Parties' first request to extend the Parties Discovery Plan and Scheduling Order ("DPSO") (ECF No. 15). The basis for this

1 extension was to obtain necessary discovery. Since such time, the Parties have diligently
2 obtained discovery through written means, third-party subpoenas for records, and six
3 depositions.

4 2. On March 13, 2025, the Court granted the Parties' stipulation to dismiss
5 Plaintiffs' claim for negligent hiring, retention, and supervision. (ECF No. 17).

6 3. On March 31, 2025, the Parties exchanged initial expert disclosures. Plaintiffs
7 disclosed three experts and Federal Defendants disclosed three experts.

8 4. On April 18, 2025, Plaintiffs disclosed supplemental expert reports from their life
9 care planner.

10 5. On May 1, 2025, the Parties disclosed rebuttal expert reports.

11 6. The following expert depositions are scheduled to take place in the upcoming
12 weeks, some of which could not be scheduled prior to the current discovery cutoff date (May 29.
13 2025) due to the experts' and/or counsel's availability:

- 16 • Thomas Dunn, MD [Plaintiffs Expert] – May 28, 2025
- 17 • Henry Miller, PhD [Defense Expert] – May 27, 2025
- 18 • Benjamin T. Bjerke, MD, MS [Defense Expert] – June 20, 2025
- 19 • William Partin, CPA [Defense Expert] – May 27, 2025
- 20 • Tony Reyes, PhD [Plaintiffs Expert] – May 14, 2025
- 21 • Paul Thomas, PhD [Plaintiffs Expert] – May 30, 2025
- 22 • Mary Ann Shannon, MD [Plaintiffs Expert] – June 6, 2025

23 **II.**

24 **OUTSTANDING DISCOVERY**

25 1. The Parties are in the process of conducting depositions of the Parties' disclosed
26 experts. Dr. Mary Ann Shannon's first available date for her deposition is June 6, 2025, which is
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1 seven days after the close of discovery. Though Dr. Bjerke is available on May 26, 2025, this is
2 a federal holiday. His next available date for his deposition is June 20, 2025, which is twenty-two
3 days after the close of discovery.

4 2. The Parties will continue to supplement their FRCP 26 disclosures as needed, in
5 accordance with the rules.

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7 **III.**

8 **GOOD CAUSE EXISTS TO GRANT THE PARTIES' SECOND REQUEST TO**
9 **EXTEND DISCOVERY**

10 Good cause exists to grant the Parties' second request to modify the DPSO. This case
11 involves disputed damages, which requires opinions from experts based on fulsome
12 discovery—which is ongoing, as detailed above. The Parties have been diligently working on
13 discovery and moving this case forward but require extra time for expert depositions. As such,
14 the Parties agreed to extend discovery for twenty-two (22) days.

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16 **IV.**

17 **CURRENT AND PROPOSED DISCOVERY SCHEDULES**

18 The following table outlines the Parties' current discovery deadlines pursuant to the
19 Court's Order Granting the Parties' DPSO (ECF No. 15), and the Parties' proposed extended
20 discovery deadlines pursuant to this instant stipulation:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut Off	May 29, 2025	June 20, 2025
Dispositive Motions	June 30, 2025	August 4, 2025
Joint Pretrial Order	July 28, 2025 ¹	September 2, 2025

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¹ However, if dispositive motions are filed, the proposed joint pretrial order will be due thirty days after the
rulings on such dispositive motions.

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CONCLUSION

In sum, this instant stipulation is the Parties' second request for an extension of the discovery deadlines in this matter. The Parties have good cause to extend discovery because discovery delays were caused by the Parties' experts deposition availability, which did not become apparent until expert rebuttal disclosures. The Parties have conferred about this joint stipulation, and respectfully submit that the reasons set forth above constitute compelling reasons for their requested extension.

IT IS SO STIPULATED AND AGREED

Dated this 7th day of May 2025.

**SIGAL CHATTAH
UNITED STATES ATTORNEY**

/s/ Reem Blaik
REEM BLAIK
Assistant United States Attorney
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Attorneys for Federal Defendant

Dated this 7th day of May 2025.

The702FIRM INJURY ATTORNEYS

/s/ Michael C. Kane
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ORDER

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: May 8, 2025