

1 LIPSON NEILSON P.C.
 2 JOSEPH P. GARIN, ESQ.
 Nevada Bar No. 6653
 3 ANGELA N. OCHOA, ESQ.
 Nevada Bar No. 10164
 4 9900 Covington Cross Drive, Suite 120
 Las Vegas, Nevada 89144
 5 Phone: (702) 382-1500
 Fax: (702) 382-1512
 6 jgarin@lipsonneilson.com
 7 aochoa@lipsonneilson.com

8 *Attorneys for Defendant Background Checks, Inc.*

9
 10 **IN THE UNITED STATES DISTRICT COURT**
 11 **FOR THE DISTRICT OF NEVADA**

12 STEPHEN ALEXIAN SCRUGGS,
 13
 Plaintiff,
 14 vs.
 15 BACKGROUND CHECKS, INC.,
 16
 Defendant.

Case No: 2:24-cv-01932-JCM-DJA
**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINES**
[FIRST REQUEST]

18 Pursuant to Local Rules IA 6-1 and 26-3, the parties hereby jointly stipulate and
 19 move the Court for a 60-day extension of the case deadlines set forth in the prior
 20 Scheduling Order (ECF No. 11). This is the parties' first joint request and is made in
 21 good faith for the reasons set forth below.

22 Good cause exists for the joint request of the parties, as explained further below,
 23 given the approaching deadline for the parties to file a motion for leave to amend the
 24 complaint. Pursuant to Local Rule 26-3, the parties provide the following information
 25 relative to the status of discovery and the proposed extension:

26 (a) *A statement specifying the discovery completed:*

- 27 1. The parties have exchanged Initial Disclosures in accordance with
 28 Fed. R. Civ. P. 26(a)(1).

LIPSON NEILSON P.C.
 9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
 Telephone: (702) 382-1500 Facsimile: (702) 382-1512

LIPSON NEILSON P.C.

9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. Defendant BACKGROUND CHECKS, INC. served First Set of Requests for Production of Documents and Interrogatories to Plaintiff on January 15 2025.

3. Defendant BACKGROUND CHECKS, INC. served Notice of Subpoena to be served to American Seafood Company.

(b) *A specific description of the discovery that remains to be completed:*

1. The parties anticipate serving additional written discovery.
2. The parties need to complete the following depositions:
 - i. Plaintiff's deposition.
 - ii. Rule 30(b)(6) witness for Background Checks, Inc.
 - iii. Percipient witnesses identified in disclosures
 - iv. Expert depositions to be determined
3. The parties need to identify, retain and disclose expert witnesses.

(c) *The reason why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan:* Good cause exists for the joint request of the parties based on several factors including:

1. The Scheduling Order sets a deadline of February 21, 2025 for the parties to file motions to amend pleadings. With the allegations in the Complaint being that Defendant caused Plaintiff to be damaged due to a loss of employment, Defendant seeks discovery into his allegations before filing suit against potential third-parties such as Plaintiff's former employer. Having not yet received responses to written discovery, additional time is needed for Defendant to investigate.
2. One of the main witnesses to this case, American Seafoods Company is located out of state, which requires additional time for the parties to coordinate scheduling of depositions.

LIPSON NEILSON P.C.

9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
 Telephone: (702) 382-1500 Facsimile: (702) 382-1512

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. The parties have been working in good faith to advance this case, as the parties are also in the process of negotiating a stipulated protective order.
4. This case is relatively new, with Defendant’s Answer having been filed on December 5, 2024.
5. Based on their good faith efforts to advance the case, the parties believe good cause exists to extend all discovery deadlines by 60 days.

(d) *A proposed schedule for completing all remaining discovery:* For the reasons stated above, the parties request that the current dates in the Discovery Plan and Scheduling Order (ECF No.11) be amended to reflect the following deadlines:

	Current Date	New Date
Discovery Cut Off Date	May 19, 2025	July 18, 2025
Last Day to file motions to amend or add parties	February 21, 2025	April 22, 2025
Initial expert disclosures	March 20, 2025	May 19, 2025
Rebuttal expert disclosures	April 20, 2025	June 19, 2025
Final Date to file Dispositive Motions	June 18, 2025	August 18, 2025 (60 th day is a Sunday)

Joint Pretrial Order, Fed. R. Civ. P. 26(a)(3) disclosure, and any objections are currently due on July 23, 2025, and should be amended to a new deadline of **September 22, 2025** (Unless dispositive motions are filed, in which case the deadline for the joint pretrial order is 30 days after the dispositive motion deadline.)

///
///
///
///
///

1 The parties have stipulated to these extension dates. This stipulation is entered
2 into by the parties in good faith and not for purposes of delay.

3 Dated this 27th day of January, 2025.


<p>4 LIPSON NEILSON P.C.</p> <p>5 <i>for P. Garin</i></p> <hr/> <p>6 JOSEPH P. GARIN, ESQ. 7 Nevada Bar No. 6653 8 ANGELA N. OCHOA, ESQ. 9 Nevada Bar No. 10164 9900 Covington Cross Drive, Suite 120 10 Las Vegas, Nevada 89144</p> <p>11 <i>Attorneys for Defendant Background 12 Checks, Inc.</i></p>	<p>CONSUMER ATTORNEYS</p> <p><i>/s/ Michael Yancey</i></p> <hr/> <p>MICHAEL YANCEY III, ESQ. Nevada Bar No. 16158 2300 West Sahara Ave., Suite 800 Las Vegas, NV 89102</p> <p>RYAN PETERSON, ESQ. CONSUMER JUSTICE LAW FIRM <i>Pro Hac Vice Application Pending</i> 6600 France Ave., Suite 602 Edina, Minnesota 55435</p> <p><i>Attorneys for Plaintiff</i></p>
--	--

LIPSON NEILSON P.C.

9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

16 **ORDER**

17 IT IS SO ORDERED.

18 
19
20 _____
UNITED STATES MAGISTRATE JUDGE

21 Dated: 1/28/2025