

1 SUE FAHAMI  
Acting United States Attorney  
2 District of Nevada  
Nevada Bar No. 5634

3 KARISSA D. NEFF  
4 Assistant United States Attorney  
Nevada Bar No. 9133  
5 501 Las Vegas Blvd. So., Suite 1100  
Las Vegas, Nevada 89101  
6 (702) 388-6336  
Karissa.Neff@usdoj.gov

7 *Attorneys for the United States*

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

10 Erika McCants, an individual; and David Mark  
11 Gosso, an individual,

12 Plaintiffs,

13 v.

14 United States Postal Service; Ashton Paul  
Yager, an individual; DOE Owners I-V; DOE  
15 Drivers I-V; ROE Employers I-X; and ROE  
Companies I-X, inclusive, jointly and severally,

16 Defendants.

Case No. 2:24-cv-02063-CDS-DJA

**STIPULATION TO AMEND  
COMPLAINT**

17  
18 Pursuant to Federal Rule of Civil Procedure 15(a), Erika McCants and David Mark  
19 Goss (“Plaintiffs”), through their counsel, and the United States of America (“United  
20 States”), on behalf of the Federal Defendant, through undersigned counsel, hereby agree and  
21 stipulate and agree as follows:

22 1. Plaintiffs filed this action in the Eighth Judicial District Court in Clark County,  
23 Nevada, as Case No. A-24-896474-C, on June 29, 2024, for personal injuries allegedly  
24 sustained in a traffic accident with a United States Postal Service vehicle.

25 2. The Federal Defendant removed this action to the United States District Court  
26 for the District of Nevada on November 5, 2024 (ECF No. 1).

1           3. On November 5, 2024, the Federal Defendant filed a Motion for Extension of  
2 Time to File Response to Complaint (ECF No. 2).

3           4. Plaintiffs did not oppose the United States’ Motion for Extension of Time and  
4 this Court granted it, ordering that the United States respond to Plaintiffs’ complaint by  
5 January 5, 2025 (ECF No. 5).

6           5. On December 30, 2024, the parties filed a Stipulation for Extension of Time to  
7 File Response to Complaint (ECF No. 7) that the Court granted, extending the deadline for  
8 Federal Defendant to respond to January 28, 2025 (ECF No. 8).

9           6. Plaintiffs have agreed to amend their complaint to reflect that the United States  
10 is the proper defendant in this action.

11           7. The parties agree that Plaintiffs shall amend their complaint to change the  
12 named defendants from “United States Postal Service; Ashton Paul Yager, an individual;  
13 DOE Owners I-V; DOE Drivers I-V; ROE Employers I-X; and ROE Companies I-X,  
14 inclusive, jointly and severally” to the “United States of America.”

15           8. Plaintiffs shall file their amended complaint no later than February 14, 2025.

16           9. Federal Defendant shall have through March 7, 2025, to file a response to the  
17 amended complaint.

18           Therefore, the parties request that the Court enter an order that:

19           1. Plaintiff shall file an amended complaint no later than February 14, 2025,  
20 changing the named defendants from “United States Postal Service; Ashton Paul Yager, an  
21 individual; DOE Owners I-V; DOE Drivers I-V; ROE Employers I-X; and ROE  
22 Companies I-X, inclusive, jointly and severally” to the “United States of America.”  
23  
24  
25  
26  
27  
28

1 2. Federal Defendant shall have through March 7, 2025, to respond to  
2 Plaintiffs' amended complaint.

3 Respectfully submitted this 27th day of February 2025.

4  
5 SUE FAHAMI  
Acting United States Attorney


6  
7 /s/ Jacob G. Leavitt  
JACOB G. LEAVITT  
8 4089 Spring Mountain Road  
Las Vegas, Nevada 89102

9 /s/ Karissa D. Neff  
KARISSA D. NEFF  
Assistant United States Attorney

*Attorneys for the United States*

10 *Attorney for Plaintiff*

11 **IT IS SO ORDERED:**

12 

13 **UNITED STATES MAGISTRATE JUDGE**

14 **DATED:** 1/27/2025