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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8 LAURA KOHRS,

Case No.: 2:24-cv02244-JAD-NJK

9 Plaintiff,

10 vs.

11 **STIPULATION TO EXTEND**  
12 **DISCOVERY DEADLINES PURSUANT**  
13 **TO LR 26-3**

14 SMITH'S FOOD & DRUG CENTERS, INC.,  
an Ohio Corporation; DOES I through X,  
inclusive; and ROE BUSINESS ENTITIES XI  
through XX, inclusive,

(First Request)

15 Defendants.  
16

17 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff LAURA KOHRS  
18 ("Kohrs") and Defendant SMITH'S FOOD & DRUG CENTERS, INC. ("Smiths"), by and through  
19 their respective counsel, that the discovery deadlines of this matter be continued for a period of sixty  
20 (60) days to allow the parties to complete discovery.

21 **A. STATEMENT SPECIFYING THE DISCOVERY THAT HAS BEEN COMPLETED.**

22 The parties participated in the Fed. R. Civ. P. 26(f) conference on January 3, 2025, and have  
23 served their initial Rule 26 Disclosures. The following is discovery that has been completed:

- 24 1. Defendant Smiths First Set of Request for Production of Documents to Plaintiff dated  
25 January 17<sup>th</sup>, 2025.
- 26 2. Defendant Smiths First Set of Interrogatories to Plaintiff dated January 17<sup>th</sup>, 2025.
- 27 3. Defendant Smiths First Set of Request for Admissions to Plaintiff dated January 17<sup>th</sup>,  
28 2025.

1           4.     Plaintiff Kohrs's Responses to Defendants First Set of Request for Production of  
2 Documents dated February 14, 2025.

3           5.     Plaintiff Kohrs's Responses to Defendants First Set of Interrogatories dated February 14,  
4 2025.

5           6.     Plaintiff Kohrs's Responses to Defendants First Set of Request for Admissions dated  
6 February 13, 2025.

7           7.     Plaintiffs First Set of Interrogatories to Defendant Smiths dated January 31, 2025.

8           8.     Plaintiffs First Set of Request for Admission to Defendant Smiths dated January 31,  
9 2025.

10          9.     Plaintiffs First Set of Request for Production of Documents to Defendant Smiths dated  
11 January 31, 2025.

12          10.    Inspection of Subject Premises on February 26, 2025.

13 **B.     SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**  
14 **COMPLETED.**

15               Currently at this time the following discovery has not taken place and/or is anticipated:

16           1.     Deposition of Plaintiff Laura Kohrs (tentatively set for April 2, 2025)

17           2.     Deposition of Smiths Employee Phillis Salazar (tentatively set for March 18, 2025)

18           3.     Deposition of Smiths Employee Chris Bowman (tentatively set for March 25, 2025)

19           4.     Deposition of the Store Manager of Defendant Smiths (name unknown)

20           5.     Deposition of the Corporate Representative of Defendant Smiths (name unknown)

21           6.     Depositions of Plaintiff's medical providers

22           7.     Collection of medical records

23           8.     Plaintiff's Initial Expert Disclosures

24           9.     Defendant's Initial Expert Disclosures

25           10.    Plaintiff's Rebuttal Expert Disclosures

26           11.    Defendants Rebuttal Expert Disclosures

27           12.    Depositions of Plaintiff's experts  
28

1           13.     Deposition of Defendant's experts

2           14.     Other depositions, subpoenas and/or discovery that might be necessary

3   C.     **REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**  
4           **WITHIN THE DEADLINES CONTAINED IN THE AMENDED DISCOVERY**  
5           **SCHEDULING ORDER**

6           Local Rule 26-3 provides that a stipulation to extend discovery deadlines must be supported  
7           by a showing of good cause. The parties represent that good cause exists for the Court to grant this  
8           stipulation.

9           This case involves premises liability due to a trip and fall incident caused by a pothole in the  
10          defendants' parking lot. The Plaintiff alleges that the parking lot had been poorly maintained for years,  
11          ultimately leading to the fall.

12          On February 26, 2025, following an inspection, counsel for both parties discussed the need to  
13          obtain the name of the "Store Manager or other Knowledgeable Representative(s)" of Smith's, as  
14          identified in the Defendants' Initial FRCP 26 Disclosures. It is believed that this individual, as listed  
15          in the Defendants' Initial FRCP 26 Disclosures, will provide testimony regarding the store's  
16          operations, specifically its policies and procedures concerning customer safety and accident  
17          prevention. Plaintiff's counsel emphasized the urgency of obtaining this name, as they intended to  
18          file a Motion to Amend the Complaint to add the store manager before the current amendment  
19          deadline of March 5, 2025.

20          Defense counsel indicated that this information would need to be formally requested through  
21          written discovery. Plaintiff's counsel confirmed that written discovery requests had already been  
22          served, with responses due by March 5, 2025.

23          On February 28, 2025, following up on the telephone conversation between counsel after the  
24          inspection, Defendant asked Plaintiff if discovery requests had been served, to which Plaintiff's  
25          counsel stated they had. Defense counsel had not received any of these requests, which included  
26          requests for admissions, interrogatories, and requests for production. Defense counsel contends that  
27          it received a packet of discovery responses in an envelope from Plaintiff around that date, but no  
28          discovery requests were included with that packet. As such, the Parties agreed to a 30-day extension  
            from that date for Defendant to respond to Plaintiff's discovery request. However, this extension

would result in a due date beyond the current deadline for amending the pleadings, making it difficult for the plaintiff to file the necessary motion.

For this reason, the parties are requesting an extension of all discovery deadlines for sixty (60) days.

**D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

It is requested that all remaining discovery deadlines in this case be continued as follows:

<i>Discovery</i>	<i>Current Deadline</i>	<i>Proposed Deadline</i>
Amend Pleadings/Add Parties	March 5, 2025	May 5, 2025
Initial Expert Disclosures	April 4, 2025	June 4, 2025
Rebuttal Expert Disclosures	May 5, 2025	July 4, 2025
Discovery Cut-Off	June 3, 2025	August 4, 2025
Dispositive Motions	July 3, 2025	September 1, 2025
Pre-trial Order	August 4, 2025	October 3, 2025

DATED this 5<sup>th</sup> day of March, 2025.

DATED this 5<sup>th</sup> day of March, 2025.

SHOOK & STONE, CHTD.

COOPER LEVENSON, PA

*/s/ John B. Shook, Esq.*

*/s/ Pooja Kumar, Esq.*

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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: March 6, 2025