

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

LARRY M. WISENBAKER, )  
 )  
Plaintiff, ) Case No. 3:03-cv-500- LRH-VPC  
 )  
vs. )  
 )  
CRAIG FARWELL, et al., )  
 )  
Defendants. )

**STIPULATION TO EXTEND TIME TO FILE JOINT PRETRIAL ORDER  
AND ORDER**

The parties by and through undersigned counsel hereby agree, stipulate and request this Court to enter an Order continuing the date the Joint Pretrial Order is due.

A Settlement Conference was held in this case on Tuesday October 6th. The Pretrial Order was set and is currently due on Friday October 30<sup>th</sup> (a state holiday for defense counsel). Both Plaintiff and Defendants counsel find that completing the Pretrial Order by the current due date extraordinarily difficult given their schedules. Following the settlement conference, Plaintiff's counsel prepared for and traveled to the Bay Area for Oral Argument before the Ninth Circuit for the morning of Friday October 9<sup>th</sup> (case no. 3:08-cv-585). In addition to other work, Plaintiff's counsel then prepared for and participated in two days of depositions in Las Vegas (Thursday and Friday October 15<sup>th</sup> and 16<sup>th</sup>, case no. 3:08-cv-635) which did not include traveling time. Plaintiff's counsel then dedicated the beginning of this week to preparing the Pretrial Order, but given the time it is taking and next week's schedule Plaintiff's counsel already knows it is extraordinarily difficult to finish. In addition to the Pretrial Order, other work and events have fallen during this time frame. On Monday October 26<sup>th</sup>, Plaintiff's counsel has court in Winnemucca for a case involving the Indian Child Welfare Act. On


1 Tuesday October 27<sup>th</sup>, a full day of depositions are again going to occur in case no. 3:08-cv-635. On  
2 Wednesday October 28<sup>th</sup>, a deadline to file a dispositive motion (which is currently being prepared) in  
3 case no. 3:08-cv-667 is due. On October 29<sup>th</sup>, Plaintiff's counsel has a criminal hearing, and on  
4 Monday November 2<sup>nd</sup>, an Opposition to a motion for summary judgment in case no. 3:08-cv-667 is  
5 due.

6 Likewise Defendants counsel has and had a full schedule that includes the following. Defense  
7 counsel was sick with the flu on October 16<sup>th</sup> and 17<sup>th</sup>, had filing dates on October 16<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup>,  
8 taught at POST on the 21<sup>st</sup>, has a mediation conference on the 27<sup>th</sup>, and motion hearings on the 28<sup>th</sup>  
9 and 29<sup>th</sup>.


10 For the above reasons, it is requested that the parties be given until Monday November 16<sup>th</sup> to  
11 file the Joint Pretrial Order in this matter.<sup>1</sup>

12 RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of October, 2009.

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14  
15 By: /s/  
16 Susan E. Lee, Esq.  
17 Attorney for Defendants

18  
19 By:   
20 Brian Morris, Esq.  
21 Attorney for Plaintiff

22 IT IS SO ORDERED.

23   
24  
25 LARRY R. HICKS  
26 UNITED STATES DISTRICT JUDGE

27 DATED: October 26, 2009.

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1 <sup>1</sup> Monday November 16<sup>th</sup> was chosen since Plaintiff's counsel also has a dispositive motion hearing  
on Friday November 13<sup>th</sup> in case no. 3:08-cv-529.