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7 Ross Miller, Catherine Cortez Masto,
Howard Skolnik, Robert Bannister,
8 and E.K. McDaniel*

9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 DAVID RIKER, et al,

13 Plaintiffs,

14 v.

15 JAMES GIBBONS, et al.,

16 Defendants.

Case No. 3:08-CV-115-ECR-VPC

**STIPULATION TO ENLARGE TIME FOR
RESPONSIVE PLEADING AND
OPPOSITION TO MOTION FOR CLASS
CERTIFICATION**

17 Defendants, James Gibbons, Ross Miller, Catherine Cortez Masto, Howard Skolnik,
18 Robert Bannister, and E.K. McDaniel, by and through their attorneys, Catherine Cortez Masto,
19 Attorney General of the State of Nevada, and Janet E. Traut, Senior Deputy Attorney General,
20 and Plaintiffs, David Riker, # 42471, Roger Libby, # 30842, Ricky Sechrest, # 18908,
21 Terrence Brothers, # 43397, Jeffrey Hosmer, # 75254, and Mark Whittington, # 58523, by
22 and through their attorneys, Lee B. Roland, Esq. and Allen Lichtenstein, Esq., hereby
23 stipulate to, and move this court for, an order granting an enlargement of time for Defendants
24 to file a responsive pleading to Plaintiffs' complaint until May 15, 2008. Likewise, the parties
25 stipulate to enlarge time for the Defendants to respond to Plaintiffs' Motion for Class
26 Certification until May 15, 2008.

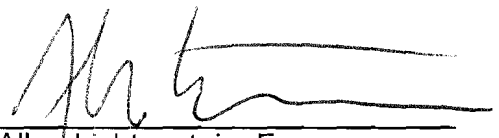
27 Counsel for Defendants has recently received the complaint in this case and
28 preliminary review is ongoing, including the preparation of a copy of the six Plaintiffs' medical

1 records. Currently, a responsive pleading is due to be filed with the court on March 31, 2008.
2 The stipulated enlargement, therefore, encompasses 45 days in which to diligently review the
3 allegations brought forward in the complaint and make an appropriate response.


4 Similarly, in reviewing the Plaintiffs' medical records and making comparisons between
5 the claims, Defendants will be better able to assess whether the case should proceed as a
6 class action, and will file their response to the court by March 31, 2008.

7 Plaintiffs, in return, requested that no named Plaintiff in this case be moved from Ely
8 State Prison during the interim. Defendants agree that named Plaintiffs will not be moved
9 from Ely State Prison, but for cause.

10 Dated this 27th day of March, 2008.

11
12 By: 
13 Allen Lichtenstein, Esq.
14 ACLU of Nevada
15 Attorney for Plaintiffs

16 Dated this 24th day of March, 2008.

17
18 CATHERINE CORTEZ MASTO
19 Attorney General
20 By: 
21 JANET E. TRAUT
22 Senior Deputy Attorney General
23 Bureau of Public Affairs
24 Public Safety Division
25 Attorneys for Defendants