

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROY TROST) Case No. 3:14-cv-00611-MMD-WGC
aka Daisy Meadows,)
)
Plaintiff,)
)
vs.) March 1, 2017
)
GREG COX, et al.,)
)
Defendants.)

MINUTES OF PROCEEDINGS

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFFS: Margaret A. McLetchie (Telephonically)

COUNSEL FOR DEFENDANTS: Erin L. Albright (Telephonically)

MINUTES OF PROCEEDINGS: Status Conference

1:32 p.m. Court convenes.

Before the court, which the court addresses at today's hearing, is Plaintiff's "Motion for Request of Mediation Meeting" (ECF No. 87), which was filed by Plaintiff in pro per prior to the appointment of pro bono counsel Margaret A. McLetchie, Esq. (ECF No. 97.) Ms. McLetchie indicates although she was just recently appointed as counsel in this case and has not completed her review of the documents filed in the case, she is in favor of participating in a mediation with her client. The court notes the Defendants filed a non opposition to Plaintiff's request for a mediation soon after the motion was filed (ECF No. 89).

In view of the parties' consensus to schedule a mediation, Plaintiff's motion for a mediation (ECF No. 87) is GRANTED. The court sets an inmate mediation for Tuesday, 4/18/2017 at 1:30 p.m. The court will reach out to Mary Dugan, Esq., who was the assigned mediator during the previous mediation attempt in October 2016 (ECF No. 44), to inquire whether or not she is available. Defendants have no objection to the court assigning Ms. Dugan; however, Plaintiff's counsel asks that she be allowed to confer with her client first before agreeing with the assignment of Ms. Dugan as the mediator. The court states it will tentatively assign Ms. Dugan as the mediator for this conference; however, should Plaintiff oppose the

assignment of Ms. Dugan, Ms. McLetchie shall advise Ms. Ogden and an alternative mediator will be reassigned promptly.

Ms. McLetchie advises the court that Plaintiff anticipates filing an amended complaint in this action. Ms. McLetchie states she intends to draft the amended complaint and thereafter provide defense counsel a chance to review the amended complaint. If there are objections to the content of the amended complaint and counsel are unable to resolve any dispute, Ms. McLetchie will file a motion with the court seeking leave to amend. The court agrees this is an acceptable approach to submitting the anticipated amended complaint.

In view of Plaintiff's intention to pursue a third amended complaint, and with the consent of counsel, Plaintiff's "Motion for a Temporary Restraining Order" (ECF No. 55) and Plaintiff's "Motion for a Preliminary Injunction" (ECF No. 56) are **DENIED without prejudice**.

The court next addresses several motions to seal medical records. The court finds there are compelling reasons to seal medical records, especially for the unique nature of this case. Therefore, Defendants' "Motion for Leave to File Confidential Documents Under Seal in Support of Opposition to Motion for Preliminary Injunction" (ECF No. 60), Defendants' "Motion for Leave to File Confidential Documents Under Seal in Support of Opposition to Motion for Temporary Restraining Order" (ECF No. 64) and Defendants' "Motion for Leave to File Confidential Documents Under Seal in Support of Defendants' Opposition to (Second) Motion for Preliminary Injunction" (ECF No. 93) are **GRANTED**.

The court next establishes a scheduling order and the following deadlines are set forth:

- Discovery Cut-Off: **Friday, 9/15/2017;**
- Amending Pleadings and Adding Parties: **Friday, 6/16/2017;**
- Disclosure of Experts: **Friday, 6/16/2017;**
- Rebuttal Experts: **Friday, 7/28/2017;**
- Interim Status Report: **Friday, 7/14/2017;**
- Dispositive Motion(s): **Friday, 10/20/2017;** and

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