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6 *Attorneys for Defendants*
7 *Renee Baker, Robert Dugan, James*
8 *Dzurenda, Leslie Healer, Michael Koehn,*
9 *William Moore, Michael Oxborrow,*
10 *and Brian Sandoval*

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

ORDER

13 JOHN D. PAMPLIN,

14 Plaintiff,

Case No. 3:17-cv-00716-MMD-CBC

15 v.

**DEFENDANTS' MOTION TO EXTEND
DISCOVERY RESPONSE DEADLINE
(Second Request)**

16 WARDEN R. BAKER, et al.,

Defendants.

17 Defendants, Renee Baker, Robert Dugan, James Dzurenda, Leslie Healer, Michael
18 Koehn, William Moore, Michael Oxborrow and Brian Sandoval, by and through counsel,
19 Aaron D. Ford, Attorney General of the State of Nevada, and Peter E. Dunkley, Deputy
20 Attorney General, hereby move the Court to extend the Discovery Response Deadline
21 outlined in the Scheduling Order of the Court of April 12, 2019, (ECF No. 32) pursuant to LR
22 26-4 and LR IA 6-1 for an additional twenty-one (21) days.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. BACKGROUND AND REVELANT PROCEDURAL HISTORY**

25 This is a prisoner civil rights suit brought by Plaintiff John David Pamplin
26 ("Pamplin"), pursuant to 42 U.S.C. § 1983. ECF No.8.

27 On August 6, 2019, Pamplin propounded discovery to Defendant James Dzurenda
28 ("Dzurenda").

1 The Office of the Attorney General has had difficulty obtaining information
2 necessary to adequately respond to Pamplin's discovery to Dzurenda, resulting in a request
3 for an extension filed on September 4, 2019, which was granted on September 6, 2019.
4 (ECF Nos. 43, 44.)

5 The undersigned Deputy Attorney General was only recently assigned this case and
6 has been working diligently regarding Pamplin's discovery requests and has reached out,
7 and will continue to reach out, to Mr. Dzurenda to ensure adequate and accurate responses
8 to the discovery requests.

9 Defendant now brings this Motion requesting a 21 day extension to the date in which
10 Defendant must respond to Pamplin's discovery requests dated August 6, 2019.

11 The new deadline for Dzurend to respond would be October 28, 2019, which is the
12 current close of discovery.

13 **II. APPLICABLE LAW**

14 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and
15 provides as follows:

16 When an act may or must be done within a specified time, the court may,
17 for good cause, extend the time: (A) with or without motion or notice if the
18 court acts, or if a request is made, before the original time or its extension
19 expires; or (B) on motion made after the time has expired if the party
failed to act because of excusable neglect.

20 **III. ARGUMENT**

21 Defendant respectfully requests a twenty-one (21) day extension of time out from
22 the current deadline of October 7, 2019, to serve responses to Pamplin's discovery
23 requests to Mr. Dzurenda.

24 Defendant submits that there is good cause to extend the discovery response
25 deadline. The undersigned has been working with the staff in the Office of the Attorney
26 General, in an effort to meet the extended deadline, but unfortunately, is unable to meet
27 the deadline. Defendant submits there is good cause allowing Defendants an additional 21

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1 days to respond to the Pamplin's discovery requests to ensure accurate and adequate
2 response to the discovery.

3 At this time, Discovery is also set to close on October 28, 2019, which is 21 days from
4 the day of this request.

5 **IV. CONCLUSION**

6 Wherefore, Defendants submits that there is good cause for the extension of
7 additional time in which to respond to the discovery request. This request for an extension
8 of time is made in good faith and not for the purpose of undue delay.

9 DATED this 7th day of October, 2019.

10 AARON D. FORD
11 Attorney General

12 By: /s/ Peter E. Dunkley
13 PETER E. DUNKLEY, Bar No. 11110
14 Deputy Attorney General

Attorneys for Defendants

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17 **IT IS SO ORDERED**

18 
19 U.S. MAGISTRATE JUDGE

20 DATED: 10/8/2019
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