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 8 *Zap's Electrical, LLC*

9 UNITED STATES DISTRICT COURT
 10 DISTRICT OF NEVADA

11 ZAP'S ELECTRICAL, LLC, a foreign
 12 limited liability company,

13 Plaintiff,

14 vs.

15 MONARCH CONSTRUCTION, LLC, a
 16 Nevada limited liability company,

Defendant.

Case No. 3:19-cv-00603-RCJ-CBC

**STIPULATION AND ORDER TO
 AMEND SCHEDULING ORDER
 [ECF No. 38]**

(Fourth Request)

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 18 Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, LR IA 6-1,
 19 and LR 26-4, Plaintiff/Counter-defendant Zap's Electrical, LLC ("Zap's") and
 20 Defendant/Counterclaimant Monarch Construction, LLC ("Monarch," and collectively
 21 with Zap's the "Parties"), by and through their undersigned counsel of record, hereby
 22 stipulate to amend the Amended Scheduling Order entered on April 23, 2020 [ECF No.
 23 38].

24 On April, 22, 2020, the Parties submitted a stipulated motion to amend the
 25 scheduling order to allow additional time for discovery in this matter. [ECF No. 37].
 26 The Court granted the stipulated motion and entered an Amended Scheduling Order
 27 on April 23, 2020. [ECF No. 38]. The Amended Scheduling Order sets out the following
 28 discovery deadlines:

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1. **Discovery Cut-Off [LR 26-1(b)(1)]**
 - a. September 25, 2020
2. **Deadline for disclosures of experts [LR 26-1(b)(3)]**
 - a. Initial Expert Disclosures: July 24, 2020
 - b. Rebuttal Expert Disclosures: August 24, 2020
3. **Interim Status Report [LR 26-3]**
 - a. July 24, 2020
4. **Dispositive Motions [LR 26-1(b)(4)]**
 - a. October 25, 2020
5. **Joint Pre-Trial Order [LR 26-1(b)(5)]**
 - a. November 27, 2020

Since the Court's entry of the Amended Scheduling Order, the Parties have engaged in written discovery and Monarch has served its initial expert disclosure. Zap's is currently engaging a rebuttal expert to provide an opinion; however, issues related to the ongoing health crisis has made it necessary to provide limited, additional time for finalizing and serving Zap's rebuttal expert opinion. Based thereon, the Parties have stipulated and agreed to request an extension to **only** the rebuttal expert disclosure deadline as follows:

1. **Discovery Cut-Off [LR 26-1(b)(1)]**
 - a. September 25, 2020
2. **Deadline for disclosures of experts [LR 26-1(b)(3)]**
 - a. Initial Expert Disclosures: July 24, 2020
 - b. Rebuttal Expert Disclosures: September 14, 2020
3. **Interim Status Report [LR 26-3]**
 - a. July 24, 2020
4. **Dispositive Motions [LR 26-1(b)(4)]**
 - a. October 25, 2020
5. **Joint Pre-Trial Order [LR 26-1(b)(5)]**

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a. November 27, 2020

The Parties submit this Stipulation and request an extension to the discovery schedule for good causes and not for the purposes of delay.

Dated: August 25, 2020.

BALLARD SPAHR LLP

C. NICHOLAS PEREOS, LTD.

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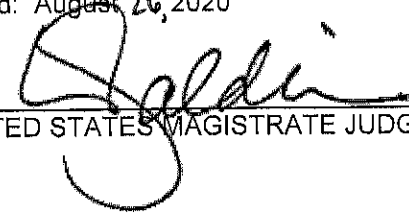
Attorneys for Plaintiff Zap's Electrical, LLC

Attorneys for Defendant Monarch Construction, LLC

NO further extensions of time will be granted absent extraordinary circumstances. COVID restrictions alone will no longer be a sufficient basis for extensions of time.

IT IS SO ORDERED.

Dated: August 26, 2020


UNITED STATES MAGISTRATE JUDGE

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CERTIFICATE OF SERVICE

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Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that on this day of August, 2020, a true and correct copy of the foregoing Stipulation and Order to Amend Scheduling Order was filed via the Court's CM/ECF System and electronically served by the Court on all parties in interest.

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/s/ M. Carlton
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