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8 Attorneys for Defendant/Cross-Claimant
 9 UNITED CONSTRUCTION COMPANY

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF NEVADA

12 URBAN OUTFITTERS, INC., a Pennsylvania
 13 Corporation,

14 Plaintiff,

15 vs.

16 DERMODY OPERATING COMPANY, LLC,
 17 a Delaware limited liability company;
 18 UNITED CONSTRUCTION CO., a Nevada
 19 Corporation, GAF MATERIALS
 20 CORPORATION, a Delaware Corporation;
 21 and DOES I through X,

22 Defendants.

23 DERMODY OPERATING COMPANY, LLC,
 24 a Delaware limited liability company,

25 Third-Party Plaintiff,

26 vs.

27 D&D ROOFING AND SHEET METAL, INC.,
 28 a Nevada corporation; ATLAS
 29 CONTRACTORS, INC., a Nevada
 30 corporation,

31 Third-Party Defendants.

32 UNITED CONSTRUCTION CO., a Nevada
 33 corporation,

CASE NO. 3:21-cv-00109-MMD-CLB

ORDER GRANTING STIPULATION
TO CONTINUE DEADLINE FOR
UNITED CONSTRUCTION CO. TO
FILE MOTION FOR PROTECTIVE
ORDER REGARDING DISPUTED
DOCUMENTS IN RESPONSE TO
PLAINTIFF'S SUBPOENA DUCES
TECUM TO TRINITY | ERD

1 Defendant/Cross-Claimant)

2 vs.)

3)
4 D&D ROOFING AND SHEET METAL, INC.,)
5 a Nevada corporation; ATLAS)
6 CONTRACTORS, INC. a Nevada corporation,)

7 Cross-Defendants.)
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STIPULATION TO CONTINUE DEADLINE FOR UNITED CONSTRUCTION CO. TO FILE MOTION FOR PROTECTIVE ORDER REGARDING DISPUTED DOCUMENTS IN RESPONSE TO PLAINTIFF’S SUBPOENA DUCES TECUM TO TRINITY | ERD

Plaintiff, Urban Outfitters, Inc. (“Plaintiff”), by and through its counsel of record, Brian K. Walters, Esq. of Gordon Rees Scully Mansukhani, LLP, and Defendant, United Construction Co. (“United”), by and through its counsel of record, Robert N. Eaton, Esq. of Lincoln, Gustafson & Cercos, LLP, and Pamela A. McKay, Esq. of McKay Law Firm, Chtd., hereby stipulate as follows.

1. Plaintiff subpoenaed documents from Trinity | ERD regarding certain consulting services it provided to United related to roof damage and repairs at Plaintiff’s distribution facility.

2. United did not object to the subpoena duces tecum.

3. In response to the subpoena duces tecum, Trinity | ERD produced to Plaintiff the documents it prepared on behalf of United related to roof damage and repairs at Plaintiff’s distribution facility. Some of the documents provided were not disclosed to the parties in this suit.

4. When counsel for United learned that Urban had obtained the referenced documents, counsel objected to their disclosure pursuant to FRCP 45(e)(2)(B). Plaintiff postponed disclosure of the documents pending informal discovery resolution efforts.

5. On August 15, 2022, Plaintiff provided counsel for United with an electronic link to the referenced documents for their review in order to facilitate the informal discovery resolution process.

1 6. United contends some of the documents Trinity | ERD provided in response to Plaintiff's
2 subpoena duces tecum are protected from disclosure pursuant to the federal work product
3 doctrine. Plaintiff disagrees.

4 7. After the September 2, 2022, discovery hearing conducted before the Honorable U.S.
5 Magistrate Judge Carla Baldwin, Plaintiff's counsel and United's counsel, further met and
6 conferred on the discovery dispute regarding the documents Trinity | ERD produced in response
7 to the subpoena duces tecum.

8 8. United's counsel requested additional time to evaluate the documents to determine if a
9 resolution was possible. Counsel for Plaintiff agreed to permit United's counsel additional time
10 to review the documents. The parties agreed to extend the briefing schedule on United's Motion
11 for Protective Order.

12 9. Plaintiff and United, through their respective counsel, agreed to further meet and confer in
13 an effort to avoid the court's involvement, which will require the deadline for United to file a
14 Motion for Protective Order to be extended from the time discussed during the September 2,
15 2022 discovery dispute hearing; specifically, 15-days from September 2, 2022, which is
16 September 16, 2022.

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1 10. Plaintiff and United agree to extend the deadline to file a Motion for Protective Order
2 regarding certain disputed documents obtained from Trinity | ERD from September 16, 2022
3 to **September 30, 2022**, if needed.

4 **IT IS SO STIPULATED.**

5 GORDON REES SCULLY MANSUKHANI, LLP

MCKAY LAW FIRM, CHTD.

6 */s/ Brian K. Walters*

/s/ Pamela McKay

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/s/ Robert N. Eaton

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Attorneys for Defendant/Cross-Claimant,
19 UNITED CONSTRUCTION, CO.

ORDER

20 **IT IS SO ORDERED.**

21 
22 _____
UNITED STATES MAGISTRATE JUDGE

23 DATED: September 15, 2022