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Attorneys for Plaintiffs,

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TOM TAORMINA, et al,

Plaintiffs,

vs.

Case No.: 3:11-CV-00645-RCJ-VPC

STOREY COUNTY,

Defendant.

**JOINT DISCOVERY PLAN AND SCHEDULING ORDER PURSUANT TO FRCP RULE
26(F) AND LOCAL RULE 26-1(e)**

Plaintiff, Tom Taormina, by and through its attorneys, McMahon Law Offices, Ltd., and Defendant, Storey County, (collectively the "Parties") hereby submit this joint discovery plan and scheduling order pursuant to FRCP Rule 26(f) and Local Rule 26-1.

///

1 I. INTRODUCTION

2 Taormina filed Complaint against Defendants Storey County on September 26, 2011. Storey
3 County answered on October 26, 2011.

4 On or about December 28/29, 2011, Brian M. McMahon, counsel for Taormina, and Brent T.
5 Kolvet, counsel for Storey County, held the Rule 26(f) conference pursuant to FRCP Rule 26(f) and
6 Local Rule 26-1.

7 In compliance with FRCP Rule 26(f), Local Rule 26-1, and Court's order, the Parties file this
8 Joint Discovery Plan and Scheduling Order by January 11, 2011.

9 II INITIAL DISCLOSURES

10 Initial disclosure pursuant to FRCP rule 26(a) will be made by January 24, 2011, 14 days
11 after the Rule 26(f) conference.

12 III. DISCOVERY PLAN

13 1. Discovery Cut-Off Date

14 Date the first defendants answered: October 26, 2011. Number of days required for discovery
15 measured from the date the first defendant answered or other appears: 180 days. Discovery cut-off
16 date: April 23, 2012, 180 days from the date the first defendant answered.

17 2. Amending the Pleadings and Adding Parties.

18 Motions to join other parties and amend pleadings unless by court order: April 23, 2012, 90
19 days prior to the close of discovery.

20 3. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)

21 Expert Disclosure pursuant to FRCP Rule 26(a)(2): February 23, 2012, 60 days before
22 discovery cut-off.

23 Rebuttal Expert Disclosure pursuant to FRCP Rule 26(a)(2): March 24, 2012, 30 days after
24 the other party's disclosure.

25 4. Interim Report

26 Interim Report stating the time the parties estimate will be required for trial, giving three (3)
27 alternative available trial dates, and stating whether, in the opinion of counsel who will try the case,
28 trial will be eliminated or its length affected by substantive motions: February 23, 2011, 60 days

1 before discovery cut-off.

2 5. Extensions or Modifications of the Discovery Plan and Scheduling Order Stipulation
3 or motion to modify or extend discovery plan and scheduling order: April 4, 2012, 20 days before the
4 discovery cut-off date.

5 6. Dispositive Motions

6 Dispositive motions: May 22, 2012, 30 days after discovery cut-off.

7 7. Pretrial Order

8 Joint Pretrial Order, which shall include Pretrial Disclosures required by FRCP Rule 26(a)(3)
9 and any objections thereto: June 20, 2012, 30 days after the date set for filing dispositive motions. In
10 the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended
11 until thirty (30) days after the decision of the dispositive motions or further order of the court.

12 IV. Stipulations Regarding Limitations or Conditions or Additional Discovery

13 1. Discovery will be needed on the following subjects: any non-privileged matter that is
14 relevant to any party's claim or defense.

15 2. Discovery should not be conducted in phases or be limited to or focused on particular
16 issues.

17 3. The parties do not anticipate any issues about disclosure or discovery of electronically
18 stored information.

19 4. The parties have not reached any agreements regarding assertion of claims of
20 privilege or of protection as trial-preparation material.

21 5. The parties agree that no change should be made in the limitations on discovery
22 imposed under the FRCP rules or by the local rules except that each party may serve
23 35 interrogatories instead of 25.

24 V. Extensions or Modifications of the Discovery Plan and Scheduling Order

25 Local Rule 26-4 governs modifications or extensions of discovery plan and scheduling order.
26 Any stipulation or motion must be made no later than 20 days before the discovery cut-off date and
27 must comply with Local Rule 26-4.

28 IT IS FURTHER ORDERED THAT THE TRIAL IS SET FOR _____, 8:30

1 A.M., CALENDAR CALL IS SET FOR _____, 8:30 A.M. in Reno
2 Courtroom 6 before the Honorable Chief Judge Robert C. Jones.

3 Dated this 18th day of January, 2012.

4
5 McMAHON LAW OFFICES, LTD.

6
7 //s// Brian M. McMahon
8 By: _____
9 Brian M. McMahon, Esq.
10 Attorney for Plaintiff,
11 TOM TAORMINA

12 Dated this 18th day of January, 2012.

13
14 THORNDAL ARMSTRONG DELK
15 BALKENBUSH & EISINGER

16
17 //s// Brent T. Kolvet
18 By: _____
19 Brent T. Kolvet, Esq.
20 Attorney for Defendant,
21 STOREY COUNTY

22 _____ IT IS SO ORDERED:

23
24 _____
25 United States District Judge

26 Date: _____
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) I hereby certify that I am an employee of McMahon Law Offices, Ltd., and that on the 18th day of January, 2012, I served a true and correct copy of the attached foregoing document by:

- Depositing for mailing, in a sealed enveloped, U.S. Postage prepaid, at Reno, Nevada
- Personal Delivery
- Facsimile
- Federal Express/Airborne Express/Other Overnight Delivery
- Reno-Carson Messenger Service

addressed as follows:

Brent T. Kolvet, Esq.
Thorndal Armstrong Delk Balkenbush & Eisinger
6590 S. McCarran Boulevard # B
Reno, Nevada 89059

///ss/// Jennifer Hall

Jennifer Hall, Paralegal