

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Josue Tabares v. Lithia Motors, Inc., a foreign corporation; Las Vegas-J, LLC, a domestic limited liability company; Does I-X; and Roe Corporations L_X, inclusive, Doe Employees I-X

Tabares · No. 2:25-cv-01266 · Decided December 8, 2025

OPINION

1 || TYSON & MENDES LLP GRIFFITH H. HAYES 2 || Nevada Bar No. 7374 Email(s): ghayes@tysonmendes.com 3 || 2835 St. Rose Pkwy., Suite 140 Henderson, NV 89052 4 || Telephone: (702) 724-2648 Facsimile: (702) 410-7684 5 || Attorneys for Defendants Lithia Motors, Inc and Las Vegas-J, LLC UNITED STATES DISTRICT COURT DISTRICT OF NEVADA JOSUE TABARES, individually Case No. 2:25-cv-01266 Plaintiff, 10 v. 11 STIPULATION AND PROPOSED ORDER LITHIA MOTORS, INC., a foreign TO EXTEND DISCOVERY DEADLINES 12 || corporation; LAS VEGAS-J, LLC, a domestic limited liability company; DOES I-X; and (SECOND REQUEST) 13 || ROE CORPORATIONS L_X, inclusive, DOE EMPLOYEES I-X 14 Defendants.

15 16 IT IS HEREBY STIPULATED AND AGREED, between the parties and their attorneys of 17 || tecord, that the current discovery deadlines to be extended as indicated on page 3, pursuant to 1g || Local Rule 26-1(b) and 26-4. 19 I. DISCOVERY COMPLETED TO DATE 20 1 l. The parties have conducted the FRCP 26.1 Early Case Conference. 2. Plaintiff produced his Lists of Witnesses and Documents on September 29, 2025.

4 3. Defendants produced their list of Witnesses and Documents on October 3, 2025. 4, Plaintiff served his First Set of Interrogatories, Requests for Production of 95 Documents and Request for Admission. IL 26 DISCOVERY THAT REMAINS TO BE COMPLETED 27 1. Rule 35 Examination of Plaintiff. 28 1 2. Responses of Defendant to Plaintiff's First Set of Interrogatories, Requests for 2 Production of Documents and Request for Admission.

3 3. Written Discovery. 4 4. Deposition of Plaintiff. 5 5. Inspection of the vehicle. 6 6. Deposition of Defendants Lithia Motors, Inc. and Las Vegas-J, LLC 30(b)(6) 7 witness(es). 8 7. Designation of Initial Experts. 9 8. Designation of Rebuttal Experts. 10 9. Deposition(s) of Plaintiff's treating physicians. 11 10. Deposition of other percipient witnesses.

12 11. Depositions of experts. 13 12. Additional written discovery (if necessary). 14 13. Any remaining discovery the parties deem relevant and necessary as discovery 15 || continues. 16 Ill. WHY DISCOVERY CANNOT BE COMPLETED WITHIN THE TIME PROVIDED BY 17 THE

CURRENT SCHEDULING ORDER 18 A. Good Cause 19 LR 26-4 governs modifications or extension of the Discovery Plan and Scheduling Order.

20 Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be 21 | made no later than twenty-one (21) days before the expiration of the subject deadline and must 22 comply fully with LR 26-4. If the stipulation is made less than twenty-one (21) days before the 23 expiration of a deadline, the parties must show a good cause exist.

A request made after the 24 expiration of the subject deadline will not be granted unless the movant also demonstrates that the 25 failure to act was the result of excusable neglect. 26 A request to extend unexpired deadlines in the scheduling order must be premised on a 27 showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3.

The good cause analysis turns 28 1 || on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. 2 || Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). 3 Good cause exists for the following reasons: the parties have been working on scheduling 4 || of the Rule 35 Examination of Plaintiff with Dr. Rimoldi.

Due to the holiday schedule, the parties 5 || are still working on securing a convenient date for the Rule 35 Examination. The parties agreed to 6 || extend all the current discovery deadlines by 60 days subject to the approval of this court. 7 IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY 9 Discovery Deadline Current Deadline Proposed Deadline Motion to Amend/Add Parties November 18, 2025 November 18, 2025 10 o change Initial Expert Disclosures December 16, 2025 February 13, 2026 11 All Rebuttal Expert Disclosures January 16, 2026 March 16, 2026 D Discovery Cut-Off Date February 15, 2026 April 16, 2026 March 17, 2026 May 15, 2026 13 Pretrial Order April 17, 2026.

June 16, 2026 14 The parties represent this Stipulation is sought in good faith and with excusable neglect 15 || and not interposed for delay or any other improper purpose. 16 Dated this 9_ day of December, 2025. Dated this day of December, 2025. 17 | TYSON & MENDES LLP KRISTOF LAW' GROUP 18 | Griffith Hayes Isf G7 1x 19 | N GRIFFITH H. HAYES MICHAEL A. KRISTO 20 || Nevada Bar No. 7374 © Nevada Bar No. 7780 2835 St. Rose Pkwy., Suite 140 1055 Whitney Ranch Drive, Ste.

220 21 || Henderson, NV 89052 Henderson, NV 89014 Attorneys for Attorneys for Defendants Lithia Attorneys for Plaintiff 22 Motors, Inc. and Las Vegas-J LLC 23 24 IT IS SO ORDERED. 25 26 UNITED STATES SISTRATE JUDGE 27 28 DATED this 12/8/2025