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Attorneys for Defendant STEWART TITLE GUARANTY COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

10 ROBERT NUNEZ RUIZ, an Individual; and
11 TERESA LYNN RUIZ, an Individual,

Case No. **2:17-cv-00944-RFB-CWH**

12 Plaintiffs,

13 vs.

13 STEWART TITLE GUARANTY COMPANY, a
14 Texas corporation; STEWART TITLE COMPANY,
15 a Texas Corporation; DOE DEFENDANTS 1
through 10; and ROE ENTITIES 1 through 10.

16 Defendants.

STIPULATION AND ORDER TO CONTINUE SETTLEMENT CONFERENCE

18 Plaintiffs ROBERT NUNEZ RUIZ and TERESA LYNN RUIZ (collectively, "RUIZ"),
19 each appearing in the proper person, and Defendant STEWART TITLE GUARANTY COMPANY
20 ("STGC"), by and through its attorneys, Gerrard Cox Larsen, jointly file this Stipulation and Order
21 To Continue Settlement Conference, and state as follows:
22

23 On March 19, 2018, Defendant STGC's parent company, Stewart Information Services
24 Corporation, entered into an agreement to be acquired by Fidelity National Financial, Inc.
25 ("Fidelity"). The sale of STGC to Fidelity is currently pending. See Affidavit of John M.
26 Langeveld, Esq., attached hereto as **Exhibit "A"**, and incorporated by this reference herein.

27 On April 9, 2018, this Court entered its Order Scheduling A Settlement Conference, which
28 set a settlement conference in this case for Friday, June 8, 2018, at 8:30 a.m. and which required

1 the Parties to submit confidential Settlement Conference Statements by Friday, June 1, 2018, at
2 12:00 p.m. [ECF No. 25].

3 Thereafter, on Tuesday, May 29, 2018, counsel for STGC was contacted by STGC, and
4 informed that because of the pending sale, numerous STGC employees had left STGC, leaving no
5 representative to attend the scheduled Settlement Conference. *See* Ex. "A".

6 This Court's April 9, 2018 Order Scheduling A Settlement Conference provides in relevant
7 part:

8 **[The] following individual(s) must be present in person for the duration**
9 **of the settlement conference:**

10 5. If any party is subject to coverage by an insurance carrier, then a
11 representative of the insurance carrier with authority to settle this matter up to the
12 full amount of the claim or last demand.

13 *See* [ECF No. 25].

14 Upon learning of this unforeseeable issue, STGC's counsel immediately contacted the
15 Court's staff to determine if an STGC representative could participate by telephone in the
16 Settlement Conference. Ex. "A". STGC's counsel was informed that the Court would not permit
17 this, leaving STGC with no choice but to seek a new date when a representative could appear in
18 person. Ex. "A".

19 **The above being the case, the Parties now hereby stipulate and agree, as follows:**

20 1. Because an STGC representative is unable to attend the Settlement Conference
21 currently set for Friday, June 8, 2018, at 8:30 a.m., the Parties now hereby stipulate and agree that
22 it is necessary to continue the Settlement Conference to a later date, so that STGC's representative
23 will be able to attend the Settlement Conference in person, per the Court's Order.

24 2. Accordingly, the parties hereby stipulate and agree to reschedule the Settlement
25 Conference to Tuesday, August 21, 2018, at 8:30 a.m. Furthermore, in accordance with the
26 schedule set forth in the Court's Order Scheduling A Settlement Conference, the Parties shall
27 submit their confidential Settlement Conference Statements one week prior to the Settlement
28 Conference, no later than Tuesday, August 14, 2018, at 12:00 p.m.

3. In addition, because of the Parties' need to continue the Settlement Conference
date, the Parties also hereby stipulate and agree to extend the following, operative Pre-Trial

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1 deadlines [ECF No. 16 - Stipulation and Order to Extend Discovery Deadlines], by an additional
2 90 days, as follows:

<u>Description of Deadline</u>	<u>Old Date</u>	<u>New Date</u>
<u>Dispositive Motions</u>	07/18/2018	10/16/2018
<u>Joint Pre-Trial Order</u>	08/29/2018	11/27/2018 ¹


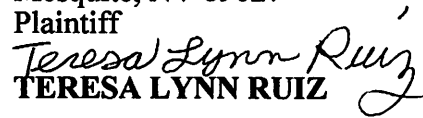
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6 4. A trial date has not yet been set in this matter. Because of the Parties' need to
7 continue the Settlement Conference date, the Parties also hereby stipulate and agree to amend their
8 trial availability dates, previously set forth in their Joint Interim Status Report [ECF No. 26], by an
9 additional 90 days, as follows:

10 **Available Trial Dates:**

<u>Old Date</u>	<u>New Date</u>
Sept. 17, 2018 - Sept. 19, 2018	Jan. 2, 2019 - Jan. 4, 2019
Sept. 24, 2018 - Sept. 26, 2018	Jan. 7, 2019 - Jan. 9, 2019
Oct. 1, 2018 - Oct. 3, 2018	Jan. 14, 2019 - Jan. 16, 2019

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15 **IT IS SO STIPULATED.**
16 DATED this 1st day of June, 2018.

17 **GERRARD COX LARSEN**
18
19 /s/ Douglas D. Gerrard
20 Douglas D. Gerrard, Esq.
21 Nevada Bar No. 4613
22 John M. Langeveld, Esq.
23 Nevada Bar No. 11628
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25 Henderson, NV 89074
26 *Attorneys for Defendant*
STEWART TITLE GUARANTY COMPANY


ROBERT NUNEZ RUIZ
/s/ Robert Nunez Ruiz.
Robert Nunez Ruiz
680 Ventana Cir.
Mesquite, NV 89027
Plaintiff

TERESA LYNN RUIZ
/s/ Teresa Lynn Ruiz.
Teresa Lynn Ruiz
680 Ventana Cir.
Mesquite, NV 89027
Plaintiff

27 ¹ The Parties request that, in the event the Court's decision on any pending motion for summary judgment has
28 not been made, or if additional dispositive motions are filed, the date for filing the joint pretrial order be suspended until
thirty (30) days after a decision on the dispositive motions. This is consistent with the terms of the Court's original
Discovery Plan and Scheduling Order (filed Aug. 8, 2017) [Doc. 9].

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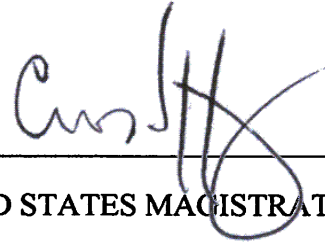
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ORDER

Having reviewed the foregoing Stipulation of the Parties, and finding good, just, and sufficient cause therefore, it its hereby entered as an Order of the Court.

IT IS SO ORDERED.

DATED: June 5, 2018



UNITED STATES MAGISTRATE JUDGE

CASE NO.: 2:17-cv-00944-RFP-CWH

Respectfully submitted by:

GERRARD COX LARSEN

/s/ Douglas D. Gerrard
Douglas D. Gerrard, Esq.
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John M. Langeveld, Esq.
Nevada Bar No. 11628
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Attorneys for Defendant
STEWART TITLE GUARANTY COMPANY

EXHIBIT A

EXHIBIT A

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT NUNEZ RUIZ, an Individual; and
TERESA LYNN RUIZ, an Individual,

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STEWART TITLE GUARANTY COMPANY, a
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Defendants.

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**AFFIDAVIT OF JOHN M. LANGEVELD, ESQ. IN SUPPORT OF
STIPULATION AND ORDER TO CONTINUE SETTLEMENT CONFERENCE**

I, John M. Langeveld, Esq., of the law firm GERRARD COX & LARSEN, do hereby swear under penalty of perjury that the following assertions are true to the best of my knowledge and belief, and as provided to me by my client:

1. Affiant is an attorney for Defendant STEWART TITLE GUARANTY COMPANY in this matter.

2. That by and through my own personal knowledge, recollection, and involvement of the matters related thereto, and asserted herein, that I am familiar with and have knowledge relating to the following, as set forth below.

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3. On or about March 19, 2018, STGC informed our office that STGC's parent company, Stewart Information Services Corporation, had entered into an agreement to be acquired by Fidelity National Financial, Inc. ("Fidelity"). The sale of STGC to Fidelity is currently pending.

4. On Tuesday, May 29, 2018, I was contacted via telephone by STGC and informed that because of the pending sale, numerous STGC employees had left STGC, which left no available representative to attend the June 8, 2018, Settlement Conference.

5. Upon learning of this unforeseeable issue, I immediately contacted Judge Hoffman's chambers to inquire if an STGC representative could participate by telephone in the Settlement Conference.

6. I was informed by Judge Hoffman's staff that the Judge would not permit STGC's representative to participate by telephone, and was provided with alternative dates in August, 2018, to reschedule the Settlement Conference for a later date when STGC's representative could attend..

7. Further your Affiant sayeth naught.


John M. Langeveld, Esq.

SUBSCRIBED AND SWORN to before me
this 4~~th~~ day of June, 2018.


NOTARY PUBLIC

