

1 ROBERT W. COTTLE, ESQ.  
Nevada Bar No. 4576  
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Nevada Bar No. 12996  
3 **THE COTTLE FIRM**  
4 8635 South Eastern Avenue  
Las Vegas, Nevada 89123  
5 Telephone: (702) 722-6111  
6 Facsimile: (702) 834-8555  
*Attorneys for Plaintiff*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 NORINE KOLTHOFF, individually;

11 Plaintiff,

12 vs.

13 ALBERTSON'S, LLC dba ALBERTSON'S  
212, a Foreign Limited-Liability Company;  
14 ALBERTSON'S STORES SUB, LLC, a  
Foreign Limited-Liability Company;  
15 ALBERTSON'S COMPANIES, INC.; DOES 1  
- 10; and ROE CORPORATIONS 1 - 10,  
16 inclusive,

17 Defendants.

CASE NO.: 2:24-cv-00012-GMN-EJY

**STIPULATION AND ORDER FOR  
DISMISSAL WITH PREJUDICE**

18  
19 **Pursuant to F.R.C.P 41(a), IT IS HEREBY STIPULATED and AGREED**, by and between  
20 the parties, ALBERTSON'S, LLC dba ALBERTSON'S 212, ALBERTSON'S STORES SUB, LLC and  
21 ALBERTSON'S COMPANIES, INC. by and through their attorneys of record, JACK P. BURDEN, ESQ.  
22 and JACQUELYN FRANCO, ESQ. of BACKUS | BURDEN, and Plaintiff NORINE KOLTHOFF by  
23 and through her attorneys ROBERT W. COTTLE, ESQ. and MARK G. LOSEE, ESQ. of THE COTTLE  
24 FIRM, that all claims against ALBERTSON'S, LLC dba ALBERTSON'S 212, ALBERTSON'S  
25 STORES SUB, LLC and ALBERTSON'S COMPANIES, INC. be dismissed with prejudice.  
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27 ...

28 ...

1           **IT IS FURTHER STIPULATED and AGREED** that each party to bear their own attorney's  
2 fees and costs.

3           DATED this 9th day of April, 2024.

                  DATED this 9th day of April, 2024.

4           **THE COTTLE FIRM**

**BACKUS | BURDEN**

6           /s/ Robert W. Cottle, Esq.

/s/ Jacquelyn Franco, Esq.

7           ROBERT W. COTTLE, ESQ.

                  JACK P. BURDEN, ESQ.

8           Nevada Bar No. 4576

                  Nevada Bar No. 6918

9           MARK G. LOSEE, ESQ.

                  JACQUELYN FRANCO, ESQ.

10          Nevada Bar No. 12996

                  Nevada Bar No. 13484

11          8635 S. Eastern Avenue

                  3050 South Durango Drive

12          Las Vegas, Nevada 89123

                  Las Vegas, Nevada 89117

13          Attorneys for Plaintiff

                  Attorneys for Defendants Albertson's, LLC dba

                  Albertson's 212, Albertson's Stores Sub, LLC and

                  Albertson's Companies, Inc.

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**ORDER FOR DISMISSAL WITH PREJUDICE**

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2 Upon the stipulation of counsel for the dismissal of Defendants ALBERTSON’S, LLC dba  
3 ALBERTSON’S 212, ALBERTSON’S STORES SUB, LLC and ALBERTSON’S COMPANIES, INC.,  
4 in the above-entitled action, *Norine Kolthoff v Albertson’s, LLC dba Albertson’s 212, Albertson’s Stores*  
5 *Sub, LLC and Albertson’s Companies, Inc.* Case No. 2:24-cv-00012-GMN-EJY, and good cause  
6 appearing therefore,  
7

8 **IT IS HEREBY ORDERED** that Defendants ALBERTSON’S, LLC dba ALBERTSON’S 212,  
9 ALBERTSON, STORES SUB, LLC and ALBERTSON’S COMPANIES, INC. be dismissed with  
10 prejudice, and each party to bear their own attorney’s fees and costs.  
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12 DATED THIS 30 DAY OF April, 2024

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15 DISTRICT COURT JUDGE  
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27  
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**scoppage@cottlefirm.com**

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**From:** Mark Losee <mlosee@cottlefirm.com>  
**Sent:** Monday, April 29, 2024 2:24 PM  
**To:** Sara Coppage  
**Subject:** Fwd: Kolthoff vs Albertson's

Please add Ms. Franco's e-signature to the SAO. Then print out and attach only the emails between her and me from today. Then file the SAO with the Court. Thanks,

----- Forwarded message -----

**From:** **Jacquelyn Franco** <jacquelynfranco@backuslaw.com>  
**Date:** Mon, Apr 29, 2024 at 2:21 PM  
**Subject:** RE: Kolthoff vs Albertson's  
**To:** Mark Losee <mlosee@cottlefirm.com>  
**Cc:** Anne Raymundo <anneraymundo@backuslaw.com>, Katri Ching <kching@backuslaw.com>

Thank you Mark. You have permission to add my electronic signature.

Jackie

*Jacquelyn Franco, Esq.*

3050 South Durango Drive

Las Vegas, Nevada 89117

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**From:** Mark Losee <[mlosee@cottlefirm.com](mailto:mlosee@cottlefirm.com)>  
**Sent:** Monday, April 29, 2024 10:06 AM  
**To:** Jacquelyn Franco <[jacquelynfranco@backuslaw.com](mailto:jacquelynfranco@backuslaw.com)>  
**Subject:** Re: Kolthoff vs Albertson's

Please see attached. After your review, please advise if I may attach your e-signature. Thanks,

Mark G. Losee, Esq.

THE COTTLE FIRM  
8635 South Eastern Avenue  
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[MLosee@cottlefirm.com](mailto:MLosee@cottlefirm.com)

On Mon, Apr 29, 2024 at 8:47 AM Jacquelyn Franco <[jacquelynfranco@backuslaw.com](mailto:jacquelynfranco@backuslaw.com)> wrote:

Mark,

Please advise the status of the Dismissal.

Thank you,

Jackie

*Jacquelyn Franco, Esq.*

3050 South Durango Drive

Las Vegas, Nevada 89117

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**From:** Mark Losee <[mlosee@cottlefirm.com](mailto:mlosee@cottlefirm.com)>  
**Sent:** Thursday, April 4, 2024 4:07 PM  
**To:** Jacquelyn Franco <[jacquelynfranco@backuslaw.com](mailto:jacquelynfranco@backuslaw.com)>  
**Cc:** Sara Coppage <[scoppage@cottlefirm.com](mailto:scoppage@cottlefirm.com)>  
**Subject:** Re: Kolthoff vs Albertson's

Jacquelyn, thank you for calling me. Per our phone call we have agreed to have this case dismissed with prejudice. I will draft and circulate the SAO this coming Tuesday. Additionally, with the case being dismissed the pending discovery requests are now moot. Thanks,

Mark G. Losee, Esq.

THE COTTLE FIRM  
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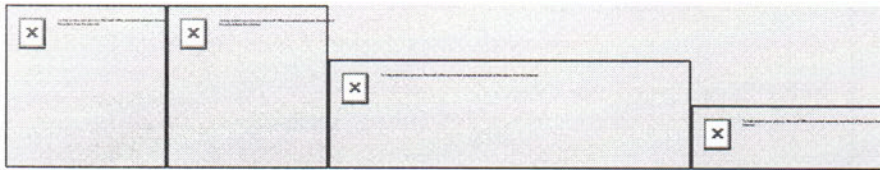
On Thu, Apr 4, 2024 at 3:49 PM Mark Losee <[mlosee@cottlefirm.com](mailto:mlosee@cottlefirm.com)> wrote:

Hi Ms. Franco, considering the surveillance video in this case, Plaintiff is willing to have this case dismissed with both parties being responsible for their own fees and costs. Could you please call me when you're able after receiving this email--you can call me on my cell if needed (435) 668-3688. Thanks,

Mark G. Losee, Esq.

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MLOsee@cottlefirm.com

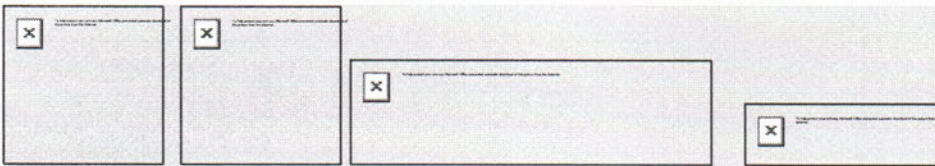
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