

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ALLSTATE INSURANCE COMPANY, *et al.*,  
Plaintiffs,  
vs.  
OBTEEN N. NASSIRI, D.C., *et al.*,  
Defendants.

Case No. 2:08-cv-00369-JCM-GWF  
**ORDER**  
**Motion for Summary Judgment - #353**

This matter is before the Court on the Nassiri-Defendants’ Motion for Summary Judgment (#353), filed on September 15, 2011; Plaintiffs’ Response to the Nassiri-Defendants’ Motion for Summary Judgment (#360), filed on October 11, 2011; and the Nassiri-Defendants’ Reply to the Plaintiffs’ Response to the Nassiri-Defendants’ Motion for Summary Judgment (#376), filed October 28, 2011. The Court conducted a hearing in this matter on November 17, 2011.

The Court finds that there are questions of fact regarding when the Plaintiffs knew, or should have known, about the Defendants’ fraud.

//  
//  
//  
//  
//  
//  
//  
//  
//  
//

03246/01462-1831489.v1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


**IT IS HEREBY ORDERED** that the Nassiri-Defendants' Motion for Summary Judgment (#353) is **denied**.

Dated this 5th day of December, 2011.

  
AMES C. MAHAN  
U.S. DISTRICT COURT JUDGE

Dated: November 28, 2011

Respectfully Submitted by:  
McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By:   
Bruce W. Kelley, NV Bar No. 7331  
Eron Z. Cannon, NV Bar No. 8013  
Michael T. Graves, NV Bar No. 11144  
8337 West Sunset Road, Suite 350  
Las Vegas, NV 89113  
Attorneys for Plaintiffs