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7 Attorneys for Plaintiff Ethan Miller

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10	ETHAN MILLER, an individual,)	Case No.: 2:09-cv-01413-RLH-GWF
11)	
12	Plaintiff,)	<u>NOTICE OF WITHDRAWAL OF</u>
13	vs.)	<u>PLAINTIFF'S MOTION FOR</u>
14	HRHH HOTEL/CASINO, LLC, a Delaware)	<u>ORDER TO COMPEL DISCOVERY</u>
15	limited liability company; HRHH)	<u>AGAINST DEFENDANT HRHH</u>
16	DEVELOPMENT, LLC, a Delaware limited)	<u>HOTEL/CASINO, LLC (DOC. #40)</u>
17	liability company; and WARWICK STONE, an)	
18	individual doing business as WARWICK)	
19	STONE CREATIVE SERVICES,)	
20	Defendants.)	

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Plaintiff Ethan Miller (“Plaintiff”), by and through his attorneys of record, Weide & Miller, Ltd., hereby withdraws Plaintiff’s Motion for Order to Compel Discovery Against Defendant HRHH Hotel/Casino, LLC (Doc. #40).

DATED this 9th day of July, 2010.

WEIDE & MILLER, LTD.

Ryan Gile

Mark Borghese, Esq.
Ryan Gile, Esq.
7251 W. Lake Mead Blvd., Suite 530
Las Vegas, NV 89128
Attorneys for Plaintiff Ethan Miller

ORDER

IT IS SO ORDERED:

George Foley Jr.

UNITED STATES MAGISTRATE JUDGE

DATED: July 12, 2010

1 **CERTIFICATE OF SERVICE**

2 I am a resident of and employed in Clark County, Nevada. I am over the age of 18 years
3 and not a party to the within action. My business address is: 7251 West Lake Mead Blvd., Suite
4 530, Las Vegas, Nevada, 89128.

5 On **July 9, 2010**, I served this document on the parties listed on the attached service list
6 via one or more of the methods of service described below as indicated next to the name of the
7 served individual or entity by a checked box:

8 **PERSONAL SERVICE:** by personally hand-delivering or causing to be hand
9 delivered by such designated individual whose particular duties include delivery of such
10 on behalf of the firm, addressed to the individual(s) listed, signed by such individual or
11 his/her representative accepting on his/her behalf. A receipt of copy signed and dated by
12 such an individual confirming delivery of the document will be maintained with the
13 document and is attached.

14 **E-MAIL / E-FILE:** Automatically through the court's electronic filing system or by
15 transmitting a copy of the document to the electronic-mail address designated by the
16 attorney or the party who has filed a written consent for such manner of service.

17 **FAX SERVICE:** by transmitting to a facsimile machine maintained by the attorney or
18 the party who has filed a written consent for such manner of service.

19 **MAIL SERVICE:** by placing a true copy thereof enclosed in a sealed envelope with
20 postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada. I am
21 readily familiar with the firm's practice of collection and processing correspondence by
22 mailing. Under that practice, it would be deposited with the U.S. Postal Service on that
23 same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of
24 business. I am aware that on motion of the party served, service is presumed invalid if
25 postal cancellation date or postage meter date is more than one day after date of deposit
26 for mailing an affidavit.

27 I declare that under penalty of perjury under the laws of the State of Nevada that the
28 above is true and correct. I further declare that I am employed in the office of a member of the
bar of this court at whose direction the service was made.

25 */s/ Ryan Gile*

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An employee of WEIDE & MILLER, LTD.

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SERVICE LIST

ATTORNEYS OF RECORD	PARTIES REPRESENTED	METHOD OF SERVICE
Justin L. Carley, Esq. Snell & Wilmer, LLP 3883 Howard Hughes Parkway, Suite 1100 Las Vegas, Nevada 89169	Attorney for Defendants HRHH Hotel/Casino, LLC, HRHH Development, LLC, and Warwick Stone	<input type="checkbox"/> Personal service <input checked="" type="checkbox"/> Email / E-File <input type="checkbox"/> Fax service <input type="checkbox"/> Mail service