

1 KAMER ZUCKER ABBOTT
Edwin A. Keller Jr. #6013
2 Jen J. Sarafina #9679
3000 West Charleston Boulevard, Suite 3
3 Las Vegas, Nevada 89102-1990
Tel: (702) 259-8640
4 Fax: (702) 259-8646

5 Attorneys for Defendant
Wynn Las Vegas, LLC
6

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 WILLIS SANDS, an individual,)
10)
Plaintiff,)
11 vs.)
12)
WYNN LAS VEGAS, LLC,)
13 Defendants.)
14

CASE NO. 2:10-cv-00297-RLH-PAL

STIPULATION AND REQUEST FOR
STAY OF ACTION
(First Request)

15 COME NOW the parties, by and through their respective counsel of record, and stipulate
16 and request that the Court stay this action, including all proceedings and any discovery
17 obligations pending completion of certain conditions precedent to an agreement entered into by
18 the parties. In support of this Stipulation and Request, the parties set forth the following:

19 1. The parties entered into a confidential agreement (“Agreement”) on October 28,
20 2010 to resolve this action and a pending charge of discrimination (“the Charge”) Plaintiff filed
21 with the Equal Employment Opportunity Commission (“EEOC”).

22 2. The parties’ performance under the Agreement is expressly predicated upon the
23 EEOC closing the Charge based on Plaintiff’s Request for Withdrawal or the EEOC’s issuance
24 of an Acknowledgment of Settlement indicating that it will no longer process the Charge for any
25 purpose. If the EEOC fails to take such action, the parties are released from all obligations under
26 the Agreement.
27
28

1 3. If the EEOC closes the Charge in the manner set forth in Paragraph 2 above, the
2 parties will submit a Stipulation to Dismiss this action *with prejudice* within seven (7) business
3 days of receiving written notice of the same from the EEOC.

4 4. If the EEOC does not close the Charge in the manner set forth in Paragraph 2
5 above, and the parties do not otherwise amend their Agreement or seek alternative relief from the
6 Court, the parties shall return to the *status quo ante* with the unexpired deadlines in the
7 Scheduling Order (Docket #19, filed May 19, 2010) reinstated and extended by the same period
8 of time they were stayed, measured from October 28, 2010.

9 5. The parties shall file a Status Report with the Court on or before January 3, 2011
10 in the event they have not already submitted a Stipulation to Dismiss.

11 6. This request for a stay is not sought for any improper purpose or other reason of
12 delay. Rather, it is sought only to provide the parties sufficient time to secure the EEOC's
13 closure of Plaintiff's Charge and to complete the remaining obligations under their Agreement.

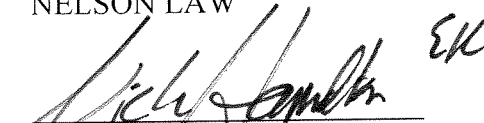
14 7. This is the first request for a stay of this action.

15 WHEREFORE, the parties respectfully request that the Court stay this action consistent
16 with the terms set forth herein.

17 DATED this 1st day of November, 2010.

18 NELSON LAW

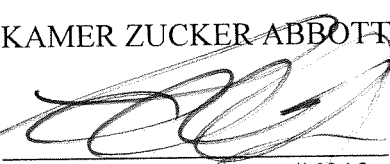
19 By:

 EK
Sharon L. Nelson #6433
Nicholas L. Hamilton #10893
8670 West Cheyenne Avenue, Suite 2008
Las Vegas, Nevada 89129
Tel: (702) 247-4529
Fax: (702) 737-4529

24 Attorney for Plaintiff

KAMER ZUCKER ABBOTT

20 By:


Edwin A. Keller, Jr. #6013
Jen J. Sarafina #9679
3000 West Charleston Blvd., Suite 3
Las Vegas, Nevada 89102
Tel: (702) 259-8640
Fax: (702) 259-8646

24 Attorneys for Defendant
Wynn Las Vegas, LLC

25 **ORDER**

26 **IT IS SO ORDERED.**

27 DATED: November 2, 2010


UNITED STATES DISTRICT JUDGE