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**Marquis Aurbach Coffing**  
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Attorneys for LVMPD Defendants

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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GORDON MARTINES, an individual,  
  
Plaintiff,

Case No.: 2:12-cv-01441-LDG-PAL

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vs.

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LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a public entity; and SHERIFF  
DOUGLAS GILLESPIE, an individual; and  
SGT. JAMES MELTON, an individual; and LT.  
CLINTON NICHOLS, an individual; and  
CAPTAIN PATRICK NEVILLE, an individual;  
and DEPUTY CHIEF JAMES OWENS, an  
individual; and LT. RAY STEIBER, DIRECTOR  
WALTER NORRIS, an individual; and  
DIRECTOR JUDY BLEAK, an individual; and  
ASSISTANT SHERIFF THEODORE MOODY,  
an individual; and UNDERSHERIFF JAMES  
DIXON, an individual; and DR. KEITH  
BOWMAN, an individual; and DIRECTOR  
MICHAEL SNYDER, an individual; and  
DIRECTOR JEFFREY ROCH, an individual;  
and DOES 1-100 inclusive.

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Defendants.

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**STIPULATION AND ORDER REGARDING MOTION FOR LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

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Defendants, Las Vegas Metropolitan Police Department, Sheriff Douglas Gillespie, Sgt.  
James Melton, Lt. Clinton Nichols, Captain Patrick Neville, Deputy Chief James Owens, Lt. Ray  
Steiber, Director Walter Norris, Director Judy Bleak, Assistant Sheriff Theodore Moody,  
Undersheriff James Dixon, Director Michael Snyder, and Director Jeffrey Roch (collectively

**MARQUIS AURBACH COFFING**

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1 “LVMPD Defendants”), by and through their attorney of record, Nick D. Crosby, Esq., with the  
2 law firm of Marquis Aurbach Coffing; and Plaintiff, Gordon Martines, by and through his  
3 attorney of record, David Otto, Esq. with David Otto & Affiliates, and in an effort to simplify the  
4 current procedural landscape of the lawsuit and conserve judicial resources, hereby agree and  
5 stipulate as follows:

6 IT IS HEREBY STIPULATED that LVMPD Defendants’ Motion for Partial Dismissal  
7 (#12) is hereby withdrawn.

8 IT IS FURTHER STIPULATED that Plaintiff shall withdraw his Motion for Leave to  
9 File the Second Amended Complaint (#17).

10 IT IS FURTHER STIPULATED that the Plaintiff shall be allowed to file the Second  
11 Amended Complaint, which is attached to the Motion for Leave to Amend, and that the same  
12 will serve as the operative pleading upon service of the same upon the LVMPD Defendants.

13 IT IS FURTHER STIPULATED that the LVMPD Defendants do not waive any right to  
14 file a dispositive motion in response to the Second Amended Complaint.

15 IT IS FURTHER STIPULATED that Counsel for LVMPD hereby waives formal service  
16 on each individual LVMPD Defendant and hereby accepts service of the Second Amended  
17 Complaint on behalf of the LVMPD Defendants, except for Dr. Bowman.

18 Dated this 4th day of February, 2013.

19 MARQUIS AURBACH COFFING

DAVID OTTO & AFFILIATES, PC

20  
21 /s/ Nick D. Crosby, Esq.

/s/ David J. Otto, Esq.

22 Nick D. Crosby, Esq.  
23 Nevada Bar No. 8996  
24 10001 Park Run Drive  
25 Las Vegas, Nevada 89145  
26 Attorney for LVMPD Defendants

David J. Otto, Esq.  
Nevada Bar No. 5449  
2300 West Sahara Ave., Suite 800  
Las Vegas, Nevada 89102  
Attorney for Plaintiff

27 **ORDER**

28 IT IS HEREBY ORDERED that LVMPD Defendants’ Motion for Partial Dismissal  
(#12) is hereby withdrawn.

**MARQUIS AURBACH COFFING**

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IT IS FURTHER ORDERED that the Plaintiff's Motion for Leave to Amend (#17) is hereby withdrawn.

IT IS FURTHER ORDERED that the Plaintiff shall be permitted to file the Second Amended Complaint, originally attached to the Motion for Leave to Amend.

IT IS SO ORDERED this 6 day of February, 2013.

  
UNITED STATES DISTRICT COURT JUDGE