

1 BROWNSTEIN HYATT FARBER SCHRECK, LLP
2 Michael D. Rounds, Esq. (NV Bar No. 4734)
3 Adam Yowell, Esq. (NV Bar No. 11748)
4 ayowell@bhfs.com
5 5371 Kietzke Lane, Reno, NV 89511
6 Telephone: (775) 324-4100
7 Email: mrounds@bhfs.com
8 ayowell@bhfs.com

9 BANNER & WITCOFF, LTD.
10 Charles W. Shifley (*pro hac vice* Admitted)
11 Binal J. Patel (*pro hac vice* Admitted)
12 Timothy J. Rechtien (*pro hac vice* Admitted)
13 Eric J. Hamp (*pro hac vice* Admitted)
14 10 S. Wacker Dr., St. 3000, Chicago, IL 60606
15 Telephone: (312) 463-5000
16 Email: cshifley@bannerwitcoff.com
17 bpatel@bannerwitcoff.com
18 trechtien@bannerwitcoff.com
19 ehamp@bannerwitcoff.com

20 STOEL RIVES LLP
21 Randolph C. Foster (*pro hac vice* Admitted)
22 900 SE Fifth Ave, Suite 2600
23 Portland, OR 97204
24 Telephone: (503) 224-3380
25 Email: randy.foster@stoel.com

26 *Attorneys for Plaintiffs ESCO Corporation*
27 *and ESCO Canada, Ltd.*

28 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 ESCO CORPORATION and ESCO
21 CANADA, LTD.

22 Plaintiffs/ Counterclaim Defendants,

23 v.

24 CASHMAN EQUIPMENT COMPANY,
25 CATERPILLAR GLOBAL MINING LLC,
26 CATERPILLAR, INC., RAPTOR MINING
27 PRODUCTS (USA) INC., and RAPTOR
MINING PRODUCTS INC.

28 Defendants/ Counterclaim Plaintiffs.

Case No.: 2:12-cv-01545-RCJ-CWH

Consolidated Cases: (2:12-cv-01545-RCJ-CWH,
2:14-cv-00529-RCJ-PAL)

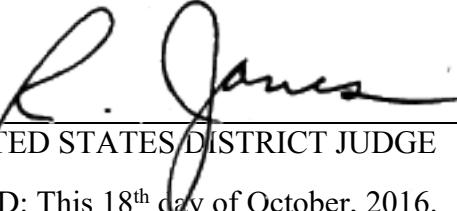
[PROPOSED] ORDER

1 The parties ESCO Corporation, ESCO Canada Ltd., Cashman Equipment Company,
2 Caterpillar Global Mining LLC, Caterpillar Inc., Raptor Mining Products (USA) Inc. and Raptor
3 Mining Products, Inc., through their counsel of record, appeared before the Court on October 6,
4 2016 for a status conference in the above-entitled matter;

5 The parties informed the Court that they were still discussing settlement and would
6 coordinate and schedule a private mediation that shall occur before January 4, 2017;

7 If the parties do not settle the case by January 4, 2017, they will file a Post- Claim
8 Construction Scheduling Order by that date and Defendants shall have until February 2, 2017 to
9 re-plead any of the dismissed or struck counterclaims or defenses that the Court has granted the
10 Defendants leave to amend. (ECF No. 200).

11 **IT IS SO ORDERED**

12 
13 _____
14 UNITED STATES DISTRICT JUDGE

15 DATED: This 18th day of October, 2016.

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b) the undersigned certifies that on this date a true and correct copy of the foregoing document, **[PROPOSED] ORDER**, will be served upon counsel of record via electronic mail through the Court's CM/ECF system.

DATED: October 17, 2016

/s/ Jeff Tillison

An Employee of Brownstein Hyatt Farber Schreck, LLP

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kieke Lane,
Reno, NV 89511
775.324.4100