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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 * * * * *

14 UNITE HERE HEALTH, by and through its
15 fiduciary, Matthew Walker;

16 CONSOLIDATED CASE NO.:
17 2:13-cv-00069-APG-PAL

18 vs.

19 Consolidated with Case No. 2:13-cv-
20 01571-JAD-NJK

21 DESERT PALACE, INC. dba CAESAR'S
22 PALACE, a Nevada corporation; BISTRO
23 CENTRAL, LV, LLC dba CENTRAL 24/7, a
24 Nevada limited liability company; CARL
25 HALVORSON, individually; JOHN DOES I-
26 X, inclusive; ROE ENTITIES I-X, inclusive,

27 **PLAINTIFFS' MOTION TO DISMISS**

28 Defendants.

17 SOUTHERN NEVADA CULINARY AND
18 BARTENDERS PENSION TRUST, by and
19 through its fiduciary Kim Gould; SOUTHERN
20 NEVADA JOINT MANAGEMENT AND
21 CULINARY AND BARTENDERS
22 TRAINING FUND, by and through its
23 Fiduciary Terry Greenwald; CULINARY
24 AND BARTENDERS TIP EARNERS
25 LEGAL ASSISTANCE FUND, by and
26 through its Fiduciary Terry Greenwald; and
27 CULINARY AND BARTENDERS
28 HOUSING PARTNERSHIP FUND, by and
through its Fiduciary D. Taylor,

Plaintiffs,

vs.

DESERT PALACE, INC. dba CAESAR'S
PALACE, a Nevada corporation; BISTRO

1 CENTRAL, LV, LLC dba CENTRAL 24/7, a
2 Nevada limited liability company; CARL
3 HALVORSON, individually; JOHN DOES I-
4 X, inclusive; ROE ENTITIES I-X, inclusive,

5 Defendants.

6 Plaintiffs in these consolidated cases, acting through counsel, respectfully move the Court
7 for its Order dismissing all remaining parties and claims without prejudice. Claims against
8 Defendant DESERT PALACE, INC. were dismissed by Court Order approving the parties'
9 stipulation (Doc. #103). This motion is intended to result in dismissal of claims asserted against
10 Defendants BISTRO CENTRAL, LV, LLC dba CENTRAL 24/7 ("Bistro") and CARL
11 HALVORSON ("Halvorson").

12 Defendants Bistro and Halvorson submitted answers in these consolidated cases on
13 March 11, 2013 and April 22, 2013. Thereafter, Bistro and Halvorson sought new counsel and
14 filed bankruptcy petitions. The bankruptcy cases of both Bistro and Halvorson were ultimately
15 dismissed, and neither Defendant was granted a discharge by the bankruptcy court. Plaintiffs
16 have determined not to pursue their claims against Bistro or Halvorson, but have had no contact
17 with either Defendant or their former counsel for more than two years, making it impossible to
18 submit a stipulation to dismiss them from the Case.

19 Accordingly, Plaintiffs respectfully seek this Court's Order dismissing Bistro and
20 Halvorson from the Case without prejudice. The entry of the Court's Order granting this Motion
21 will resolve all issues and claims presented in these consolidated cases, which may then be
22 closed.

23 Respectfully submitted,

24 **CHRISTENSEN JAMES & MARTIN**

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IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

Dated: November 7, 2018

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

ELECTRONIC SERVICE: Pursuant to Local Rule LR 5-4 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-known mailing address.

FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Saville
Natalie Saville