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 dba Sotelo Air; Sotelo Air, Inc. dba Cool Air Now; and
 12 Juan Carrillo Sotelo, Individually

13 **UNITED STATES DISTRICT COURT**
 14 **DISTRICT OF NEVADA**

15 *****

16 TRUSTEES OF THE PLUMBERS AND	)	CASE NO.: 2:13-cv-00657-RFB-NJK
17 PIPEFITTERS UNION LOCAL 525 HEALTH	)	Consolidated With:
AND WELFARE TRUST AND PLAN;)	
18 TRUSTEES OF THE PLUMBERS AND	)	CASE NO.: 2:14-cv-01609-RFB-NJK
PIPEFITTERS UNION LOCAL 525 PENSION)	
19 PLAN; AND THE TRUSTEES OF THE	)	STIPULATION AND ORDER TO
PLUMBERS AND PIPEFITTERS LOCAL UNION	)	STRIKE EXHIBITS CONTAINING
20 525 APPRENTICE AND JOURNEYMAN	)	AFFIDAVIT OF TIM NAAS; AND TO
TRAINING TRUST FOR SOUTHERN NEVADA,	)	WITHDRAW PLAINTIFFS' MOTION
	)	TO STRIKE EXHIBITS CONTAINING
21 Plaintiffs,	)	AFFIDVIT OF TIM NAAS
22 vs.	)	(DOC. #169)
)	
23 JUAN CARRILLO SOTELO DBA SOTELO AIR;)	
SOTELO AIR, INC., DBA COOL AIR NOW;)	
24 AEGIS SECURITY INSURANCE COMPANY, A)	
25 PENNSYLVANIA CORPORATION; AMERICAN)	
SAFETY CASUALTY INSURANCE COMPANY,)	
26 A GEORGIA CORPORATION,)	
)	
27 Defendants.)	
)	

1 TRUSTEES OF THE PLUMBERS AND)
 2 PIPEFITTERS NATIONAL PENSION FUND)
 3 AND INTERNATIONAL TRAINING FUND,)
 4)
 5 Plaintiffs,)
 6 vs.)
 7)
 8 JUAN CARRILLO SOTELO DBA SOTELO AIR;)
 9 SOTELO AIR, INC. DBA COOL AIR NOW;)
 10 JUAN CARRILLO SOTELO, AN INDIVIDUAL;)
 11 JOHN DOES I-X AND ROE CORPORATIONS I-)
 12 X, INCLUSIVE,)
 13)
 14 Defendants.)
 15)
 16)

17 **STIPULATION AND ORDER TO STRIKE EXHIBITS CONTAINING**
 18 **AFFIDAVIT OF TIM NAAS; AND TO WITHDRAW PLAINTIFFS' MOTION TO**
 19 **STRIKE EXHIBITS CONTAINING AFFIDVIT OF TIM NAAS (DOC. #169)**

20 Defendants, Juan Carrillo Sotelo dba Sotelo Air; Sotelo Air, Inc. dba Cool Air Now; and
 21 Juan Carrillo Sotelo, individually, by and through their counsel, Patricia A. Marr, Esq., of the law
 22 firm of Patricia A. Marr, Ltd., and Mark R. Smith, Esq., of the Law Offices of Mark R. Smith,
 23 P.C. and Plaintiffs, Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare
 24 Trust and Plan; Trustees of the Plumbers and Pipefitters Union Local 525 Pension Plan; and The
 25 Trustees of the Plumbers and Pipefitters Local Union 525 Apprentice and Journeyman Training
 26 Trust for Southern Nevada, by and through their counsel, Christopher M. Humes, Esq., of the law
 27 firm of Brownstein Hyatt Farber Schreck, LLP, hereby stipulate and agree, as follows:

- 28 1. Exhibits containing and text referencing the Affidavit of Tim Naas shall be
 stricken from Defendants' Opposition to Plaintiffs' Renewed Motion for
 Summary Judgment (Doc. #87, filed October 15, 2015 - the "Original
 Opposition"). See Original Opp., at 5:24-26 and Ex. F attached thereto at
 SoteloAIR000096.
2. Exhibits containing and citations referencing the Affidavit of Tim Naas shall
 be stricken from Defendants' Renewed Opposition to Plaintiffs' Renewed
 Motion for Summary Judgment (Doc. #145, filed October 14, 2016 - the "New
 Opposition"). See New Opp., at 5:13, 7:6 and Ex. E attached thereto.

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- 3. The Motion to Strike Exhibits Containing the Affidavit of Tim Naas, which was filed by Plaintiffs Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan; Trustees of the Plumbers and Pipefitters Union Local 525 Pension Plan; and The Trustees of the Plumbers and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada (Doc. #169, filed November 10, 2016) is hereby withdrawn.
- 4. Based upon the foregoing stipulation and agreement between the parties, Defendants shall not be required to file a formal response to the aforementioned Motion to Strike Exhibits Containing the Affidavit of Tim Naas.

IT IS SO STIPULATED AND AGREED.

DATED this 6th Day of February, 2017.

LAW OFFICES OF MARK R. SMITH, P.C.

By: /s/ Mark R. Smith
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Attorneys for Defendants, Juan Carrillo Sotelo, dba Sotelo Air;
Sotelo Air, Inc. dba Cool Air Now; and Juan Carrillo Sotelo, individually

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1 DATED this 6th Day of February, 2017.

2 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**

3 By: /s/ Christopher M. Humes
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14 Attorneys for Plaintiffs, Trustees of the Plumbers and Pipefitters
15 Union Local 525 Health and Welfare Trust and Plan; Trustees of
16 the Plumbers and Pipefitters Union Local 525 Pension Plan; and
17 The Trustees of the Plumbers and Pipefitters Local Union 525
18 Apprentice and Journeyman Training Trust for Southern Nevada

19 **ORDER**

20 Having reviewed and considered the stipulation of the parties set forth above, and good
21 cause appearing, it is hereby ORDERED that:

- 22 1. Exhibits containing and text referencing the Affidavit of Tim Naas are hereby
23 stricken from Defendants' Opposition to Plaintiffs' Renewed Motion for
24 Summary Judgment (Doc. #87, filed October 15, 2015 - the "Original
25 Opposition"). See Original Opp., at 5:24-26 and Ex. F attached thereto at
26 SoteloAIR000096.
- 27 2. Exhibits containing and citations referencing the Affidavit of Tim Naas are
28 hereby stricken from Defendants' Renewed Opposition to Plaintiffs' Renewed
Motion for Summary Judgment (Doc. #145, filed October 14, 2016 - the "New
Opposition"). See New Opp., at 5:13, 7:6 and Ex. E attached thereto.
3. The Motion to Strike Exhibits Containing the Affidavit of Tim Naas, which
was filed by Plaintiffs Trustees of the Plumbers and Pipefitters Union Local
525 Health and Welfare Trust and Plan; Trustees of the Plumbers and
Pipefitters Union Local 525 Pension Plan; and The Trustees of the Plumbers

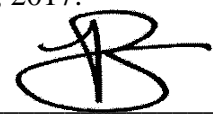
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and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada (Doc. #169, filed November 10, 2016) is hereby withdrawn.

4. Defendants shall not be required to file a formal response to the aforementioned Motion to Strike Exhibits Containing the Affidavit of Tim Naas. (Doc. #169).

IT IS SO ORDERED.

DATED this 13th Day of February, 2017.



HONORABLE RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE