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21 **UNITED STATES DISTRICT COURT**  
 22 **DISTRICT OF NEVADA**

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 24 ANTONIO CLEMENT, }  
 25 }  
 26 Plaintiff, } Civil Case No. 2:13 CV 685  
 27 } (MMD) (CWH)  
 28 }  
 29 }  
 30 VALLEY HEALTH SYSTEM, LLC }  
 31 D/B/A SPRING VALLEY HOSPITAL MEDICAL }  
 32 CENTER, }  
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 35 **MOTION FOR LEAVE TO SHARE PLAINTIFF'S**  
 36 **EARLY NEUTRAL EVALUATION STATEMENT WITH DEFENDANT**  
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38 **NOW COMES** Plaintiff Antonio Clement, by and through counsel, and hereby moves this  
 39 Honorable Court for leave to share Plaintiff's Early Neutral Evaluation Statement ("ENE Statement")  
 40 with Defendant in advance of the Early Neutral Evaluation session in this case, set for September 17,  
 41 2013. Joshua Friedman, Esq. of the Law Offices of Joshua Friedman will be in attendance at the  
 42 session with Mr. Clement.

43 Judge Ferenbach's ENE Order, Docket Entry 13, prohibits the parties from sharing their ENE

1 Statements.

2 Plaintiff believes that sharing in advance much of Plaintiff's views concerning the facts, the  
3 legal analysis of Plaintiff's claims, and potential verdicts if the case is not resolved, will make the  
4 mediation session more productive. Defendant will have a better picture of Plaintiff's position, which  
5 will make the ENE session more efficient.

6 Plaintiff's counsel regularly shares mediation statements with opposing counsel wherever  
7 possible, and believes that it is useful.

8 **WHEREFORE**, the Plaintiff requests that the Court grant Plaintiff leave to share his ENE  
9 Statement with counsel for Defendant. Plaintiff does not request or require that Defendant share its  
10 ENE Statement with Plaintiff, although Plaintiff does not oppose receiving it.

11 Dated: September 10, 2013  
12 Mamaroneck, NY  
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*By: /s/ Rebecca Houlding* \_\_\_\_\_  
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Local Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Rebecca Houlding , hereby certify that today, September 10, 2013, I served a copy of the foregoing Motion for Leave to Share Plaintiff's Early Neutral Evaluation Statement with Defendant, upon all designated recipients on the service list by filing on ECF.

By: /s/ Rebecca Houlding  
Rebecca Houlding

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21 **UNITED STATES DISTRICT COURT**  
22 **DISTRICT OF NEVADA**  
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24 ANTONIO CLEMENT, }

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26 Plaintiff, }

Civil Case No. 2:13 CV 685  
(MMD) (CWH)

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30 VALLEY HEALTH SYSTEM, LLC }  
31 D/B/A SPRING VALLEY HOSPITAL MEDICAL  
32 CENTER,  
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35 **PROPOSED ORDER GRANTING MOTION FOR LEAVE**  
36 **TO SHARE PLAINTIFF'S EARLY NEUTRAL EVALUATION STATEMENT**  
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38 **WHEREAS**, upon consideration of the Plaintiffs' motion for leave to share Plaintiff's ENE

39 Statement with Defendant in advance of the September 17, 2013 ENE, this Court finds that Plaintiff

40 may share his ENE Statement.  
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1           **THEREFORE, IT IS HEREBY ORDERED** that Plaintiff may share his ENE Statement with  
2           Defendant may also share its ENE statement with Plaintiff, but  
3 Defendant. Defendant is not required to do so.

4           DATED this 11th day of September, 2013.

5           BY THE COURT:

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~~U.S.D.J.~~

United States Magistrate Judge