

1 GEORGE D. YARON
 Nevada Bar No. 7959
 2 YARON & ASSOCIATES
 1300 Clay St, Suite 800
 3 Oakland, California 94612
 Telephone: (415) 658-2929
 4 Facsimile: (415) 658-2930
gyaron@yaronlaw.com

5 TODD L. MOODY
 Nevada Bar No. 5430
 HUTCHISON & STEFFEN ATTORNEYS
 7 10080 West Alta Drive, Suite 200
 Las Vegas, Nevada 89145
 8 Telephone: (702) 385-2500
 Facsimile: (702) 385-2086
 9 tmoody@hutchlegal.com

10 Attorneys for Defendants, Counter-Claimants, and Third-Party Plaintiffs
 11 JOHN PETER LEE, LTD., and the ESTATE OF JOHN PETER LEE

12
 13 UNITED STATES DISTRICT COURT
 14 DISTRICT OF NEVADA

15 EVANSTON INSURANCE COMPANY,)
 16)
 Plaintiffs,)
 17)
 v.)
 18)
 70 LIMITED PARTNERSHIP, a Nevada L.P.;)
 19 TERTIA DVORCHAK, as Special)
 Administratrix of the Estate of Thomas T. Beam,)
 20 Deceased; JOHN PETER LEE, LTD., a Nevada)
 Professional Corporation; and JOHN PETER)
 21 LEE, an Individual,)
 22 Defendants.)
 23 _____)
 JOHN PETER LEE, LTD. and JOHN PETER)
 24 LEE,)
 Third-Party Plaintiff,)
 25)
 v.)
 26)
 HARLEY E. HARMON INSURANCE)
 27 AGENCY, INC.,)
 28 Third-Party Defendant.)
 _____)

CASE NO.: 2:14-CV-01370-RFB-NJK
**STIPULATION AND ~~PROPOSED~~
 ORDER, PURSUANT TO LOCAL
 RULE IA 6-1, TO EXTEND THE
 DEADLINE FOR FILING A PROPOSED
 SCHEDULING ORDER
 (Second Request)**

1 This matter was stayed effective December 5, 2014, when Magistrate Judge Nancy J. Koppe
2 issued an Order staying this action pending the resolution of the malpractice lawsuit, entitled *70*
3 *Limited Partnership, et al. v. John Peter Lee, Ltd., et al.*, Case No. A-13-691389-C, Eighth Judicial
4 District, State of Nevada, Clark County (“*Malpractice* action”).

5 The *Malpractice* action involved allegations of attorney malpractice by John Peter Lee, Ltd.,
6 and John Peter Lee in connection with their work on an inverse condemnation case, captioned *70*
7 *Limited Partnership, et al. v. McCarron International Airport and Clark County*, Clark County
8 District Court, Case no A572739 (“*McCarron* action”). Moreover, the case, captioned *F & C*
9 *Collections, Inc. and John Peter Lee, Ltd., v. Estate of Thomas T. Beam, Jimma Lee Beam*
10 *Revocable Trust, 70 Limited, LLC., Leigh, T&D, Inc., Jimma Lee Beam (deceased), Tertia Dvorchak*
11 *and Bank of Nevada*, Clark County District Court, Case No. A-13-680570-B (“*Collection* action”),
12 began when John Peter Lee, Ltd., sought to recover the fees/costs earned prosecuting the *McCarron*
13 action. The *Malpractice* action was filed after the *Collection* action approximately seven and one-
14 half months later. On or about April 25, 2014, the *Malpractice* action was consolidated with the
15 *Collection* action.

16 A settlement was reached in the *Collection* action, and *Malpractice* action was dismissed.
17 In light of these developments, the parties recently requested the Court lift the stay. The Court lifted
18 the Stay effective August 17, 2017, and ordered the parties to file a proposed scheduling order by
19 August 24, 2017.

20 This matter involves six parties. These parties are: (1) Evanston Insurance Company, (2)
21 *70 Limited Partnership*, (3) Tertia Dvorchak, (4) John Peter Lee, LTD., (5) the Estate of John Peter
22 Lee, and (6) Harley E. Harmon Insurance Agency, Inc. Evanston Insurance Company, is the
23 professional liability insurer of the deceased John Peter Lee and Mr. Lee’s law firm - John Peter
24 Lee, Ltd. Mr. Lee passed away during the time that this matter was stayed. *70 Limited*
25 *Partnership* and Tertia Dvorchak brought the *Malpractice* action against Mr. Lee and John Peter
26 Lee, Ltd. The Estate of John Peter Lee and John Peter Lee, Ltd., filed a Third-Party Complaint
27 against John Peter Lee, Ltd.’s insurance broker, Harley E. Harmon Insurance Agency, Inc., for
28 claims related to the *Malpractice* action.

1 In the second half of August of 2017, the parties commenced settlement discussions. The
2 parties requested that the deadline for filing a proposed Scheduling Order be extended from August
3 24, 2017 to September 6, 2017, so that the parties would have time to continue their settlement
4 discussions. The Court granted the request and signed the Stipulation.

5 During the past two weeks, the parties have continued settlement discussions. All claims
6 between Evanston Insurance Company, on the one hand, and John Peter Lee, LTD., and the Estate
7 of John Peter Lee, on the other hand, have been tentatively settled. The claims asserted by Evanston
8 Insurance Company against Tertia Dvorchak and 70 Limited Partnership have been tentatively
9 settled. The only remaining claim is the claim of John Peter Lee, LTD., and the Estate of John Peter
10 Lee, on the other hand, against Harley E. Harmon Insurance Agency, Inc., on the other hand.

11 The parties request that the deadline for filing a proposed Scheduling Order be extended 7
12 days to provide sufficient time for the parties involved to continue their settlement discussions. If
13 the remaining settlement discussions are successful, then the entire matter, including Counterclaims
14 and Third-Party Complaints, will be dismissed. If the settlement discussions are unsuccessful, then
15 the parties will prepare and file a proposed Scheduling Order on or before September 13, 2017.

16 The Parties hereby stipulate that the deadline to file the proposed scheduling order be
17 continued 7 days to September 13, 2017.

18 \\\
19 \\\
20 \\\
21 \\\
22 \\\
23 \\\
24 \\\
25 \\\
26 \\\
27 \\\
28 \\\

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: September 6, 2017

YARON & ASSOCIATES

By: s/ George D. Yaron
GEORGE D. YARON
Nevada Bar No. 7959
YARON & ASSOCIATES
1300 Clay Street, Suite 800
Oakland, California 94612
-AND-
TODD L. MOODY
Nevada Bar No. 5430
HUTCHISON & STEFFEN ATTORNEYS
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
Attorneys for Defendants, Counter-
Claimants, and Third-Party Plaintiffs
JOHN PETER LEE, LTD., and ESTATE
OF JOHN PETER LEE

DATED: September 6, 2017

CLARK HILL, PLLC

By: s/ Nicholas M. Wieczorek
NICHOLAS M. WIECZOREK
Nevada Bar No. 006170
3800 Howard Hughes Parkway, Suite 500
Las Vegas, Nevada 89169
Attorney for Plaintiff and Counter-
Defendant
EVANSTON INSURANCE COMPANY

DATED: September 6, 2017

LITCHFIELD CAVO, LLP

By: s/ Griffith H. Hayes
GRIFFITH H. HAYES
Nevada Bar No. 7374
3753 Howard Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
Attorneys for Third-Party Defendant
HARLEY E. HARMON INSURANCE
AGENCY, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: September 6, 2017

WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

By: Is\ Jeremy R. Alberts
JEREMY R. ALBERTS
Nevada Bar No. 10497
HOWARD J. RUSSELL
Nevada Bar No. 8879
D. LEE ROBERTS, JR.
Nevada Bar No. 8877
DAVID J. LARSON
Nevada Bar No. 8837
6385 S. Rainbow Blvd, Suite 400
Las Vegas, Nevada 89118
Attorneys for Defendants
70 LIMITED PARTNERSHIP and
TERTIA DVORCHAK

IT IS SO ORDERED


UNITED STATES MAGISTRATE JUDGE

DATED: September 7, 2017