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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICHARD SCHNEIDER,	CASE NO.: 2:14-cv-01932-JAD-CWH
Plaintiffs,	
vs.	**STIPULATION AND ORDER TO STAY**
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY; and DOES I - V and ROES VI - X, inclusive;	
Defendants.	

Plaintiff RICHARD SCHNEIDER ("Plaintiff"), by and through his attorneys of record, Jesse Sbaih & Associates, and Defendant STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY ("State Farm"), by and through its attorneys of record, Lewis Brisbois Bisgaard & Smith, hereby agree as follows:

1.   On October 9, 2014, Plaintiff filed suit against State Farm in the Nevada District Court for Clark County Nevada, Case No. A-14-708329-C (the "State Court action"). The primary issue in the Complaint is whether or not the UIM coverage in Plaintiff's three State Farm policies is stackable and whether or not it was reasonable for State Farm to determine that the policies were not stackable.

2.   Subsequently, on November 19, 2014, State Farm removed the matter to Federal Court.

3.   On March 10, 2015, Plaintiff filed a Motion for Partial Summary Judgment Summary Judgment on the issue of whether Plaintiff is entitled to stackable UIM benefits

4841-7187-4850.1

1   (docket no. 14). State Farm's Response is due by March 27, 2015.

2   4.   A district court has "wide discretion in controlling discovery," and its decision

3   will not be overturned absent a clear abuse of discretion. Little v. City of Seattle, 863 F.2d

4   681, 685 (9th Cir. 1988). A stay of discovery "furthers the goal of efficiency for the court

5   and litigants." Id. at 685. "In exercising [its] discretion, a court may relieve a party of the

6   burdens of discovery while a potentially dispositive motion is pending." Kuzova v. U.S.

7   Dep't of Homeland Sec., No. 10-01711, 2011 WL 3422777, at *1 (D. Nev. Aug. 3, 2011)

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9   (citing Turner Broadcasting Sys. v. Tracinda Corp., 175 F.R.D. 554, 555-56 (D. Nev.

10 1997)).

11   5.   The Court's ruling on the Motion for Partial Summary Judgment will be

12 dispositive of the UIM benefits issue. Thus, a stay of the action pending the resolution of

13 Plaintiff's Motion for Partial Summary Judgment would be prudent and most economical

14 for the parties. See Irish v. U.S., 2015 WL 557075 (D. Nev., February 10, 2015).

15   As such, the parties stipulate as follows:

16   1.   That the Federal Court action be stayed until the Court has ruled on

17 Plaintiff's Motion for Partial Summary Judgment.

18   2.   The stay shall include all current deadlines, including discovery deadlines.

19 Any outstanding discovery deadlines shall be stayed as indicated above.

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3. Within 30 days after a ruling on the Motion for Partial Summary Judgment and all related motions, the parties will (1) submit a Stipulation and Order reflecting resolution of some or all of the claims and/or (2) reconvene pursuant to LR 26-1 to prepare an updated Discovery Plan and Scheduling Order for the Court's approval.
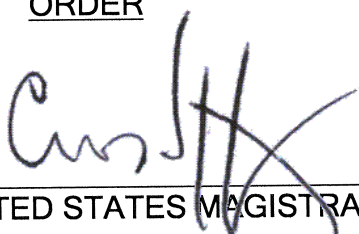
DATED: March 13, 2015

LEWIS BRISBOIS BISGAARD & SMITH

/s/ Gregory Bean

By:_____
    Robert W. Freeman, Esq.
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    Attorneys for Defendant

DATED: March 13, 2015

JESSE SBAIH & ASSOCIATES, LTD.

/s/ Jesse Sbaih

By:_____
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    Ines Olevic-Saleh, Esq.
    The District at Green Valley Ranch
    170 South Green Valley Parkway, Suite 280
    Henderson, Nevada 89012
    Attorneys for Plaintiff

IT IS SO ORDERED:

ORDER

_____
UNITED STATES MAGISTRATE JUDGE

DATED: June 3, 2015
_____

LEWIS
BRISBOIS
BISGAARD
& SMITH LLP
ATTORNEYS AT LAW