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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Richard Schneider

Plaintiff,

v.

State Farm Mutual Automobile Insurance Company,

Defendant.

Case No.: 2:14-cv-01932-JAD-CWH

**Order Directing Rebriefing to  
Incorporate Supplemental Materials  
[ECF 14, 17, 23]**

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Three motions are pending in this dispute over whether plaintiff Richard Schneider can stack his State Farm car-insurance coverage: cross-motions for summary judgment and Schneider's motion for leave to file a supplemental brief. Having reviewed the parties' filings, I find that the most efficient way to address the pending motions is to deny the cross-motions for summary judgment without prejudice and allow the parties to rebrief the summary-judgment issues to incorporate the new information that would have been discussed in their supplemental briefs.

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**Discussion**

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In March of 2015, Schneider filed a motion for partial summary judgment, and State Farm responded with its own countermotion for summary judgment.<sup>1</sup> A month after the summary-judgment briefing closed, Schneider produced a document that allegedly explains underinsured-motorist stacking as it relates to his State Farm insurance policies.<sup>2</sup> The parties seek to file additional briefs in support of their motions, responses, and replies to include additional argument about this new evidence.<sup>3</sup> Rather than allow the parties to file supplemental briefs resulting in piecemeal discussions, I find it would be more efficient to deny both pending summary-judgment motions and allow the parties to file new motions, responses, and replies to incorporate the new evidence.

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<sup>1</sup> ECF 14, 16, 17.

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<sup>2</sup> See ECF 27 at 2; ECF 24 (the parties disagree over the characterization and relevancy of this document).

<sup>3</sup> ECF 23, 26.

1 **Conclusion**

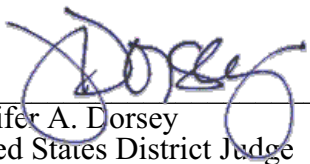
2 Accordingly, it is HEREBY ORDERED that Schneider’s motion for partial summary  
3 judgment [ECF 14] is DENIED without prejudice.

4 It is FURTHER ORDERED that State Farm’s countermotion for summary judgment [ECF  
5 17] is DENIED without prejudice.

6 It is FURTHER ORDERED that Schneider’s motion for leave to file a supplement [ECF 23]  
7 is GRANTED in part. The information that would have been included in the supplemental briefs  
8 should be included in renewed motions, responses, and replies filed in compliance with the  
9 following schedule:

- 10 • Schneider has until September 21, 2015, to file his renewed motion for partial  
11 summary judgment;
- 12 • State Farm has until October 15, 2015, to file its response to that motion and its own  
13 renewed countermotion for summary judgment;
- 14 • Schneider has until November 9, 2015, to file a reply in support of his renewed  
15 motion for partial summary judgment and his response to defendant’s renewed  
16 countermotion;
- 17 • State Farm has until November 28, 2015, to file its reply in support of its renewed  
18 countermotion.

19 DATED this 10th day of September, 2015

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23 Jennifer A. Dorsey  
24 United States District Judge  
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