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10 *Western Surety Company*

11 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

12 United States of America for the use and benefit
of ARMADA CONCRETE, LLC, a Nevada
13 limited liability company,

14 Use Plaintiff,

15 v.

16 JAYNES CORPORATION, a New Mexico
corporation; and WESTERN SURETY
17 COMPANY, a South Dakota corporation and
surety authorized to do business in Nevada,
18 Payment Bond No. 929532918,

19 Defendants.

20 All Related Actions.

Case No. 2:14-cv-02176-GMN-VCF

STIPULATION AND ORDER ~~PROPOSED~~
VACATING THE AUGUST 29, 2016
STATUS HEARING REGARDING
DEFENDANTS' MOTION TO COMPEL
(ECF NO. 50)

21 Plaintiff Armada Concrete, LLC ("Armada), by and through its counsel of record, the law
22 firm of Gordon & Rees LLP; and Defendants Jaynes Corporation and Western Surety Company
23 ("Defendants") (collectively the "Parties") by and though their counsel of record, the law firm of
24 Snell & Wilmer L.L.P., for good cause shown, the Parties hereby stipulate and agree as follows:

25 1. That pursuant to the August 4, 2016 Minutes of Proceedings (ECF No. 65), the
26 Parties met and conferred on August 10, 2016 regarding *Jaynes Corporation and Western Surety*
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1 *Company's Motion to Compel Discovery Responses and Request for Emergency Review Pursuant*
2 *to Local Rule 7-5 (ECF No. 50) (hereinafter "Defendants' Motion to Compel");*

3 2. The Parties have reached an agreement (which will be set forth fully in the Joint
4 Pre-Trial Order) that has rendered Defendants' Motion to Compel moot;

5 3. That based upon the agreement between the Parties, Defendants withdraw their
6 Motion to Compel; and

7 4. That the Court may vacate the status hearing regarding Defendants' Motion to
8 Compel (ECF No. 50) set for **9:00 a.m. on August 29, 2016.**

9 DATED: August 26, 2016

DATED: August 26, 2016

10 GORDON & REES LLP

SNELL & WILMER L.L.P.

11 By: /s/ Jon M. Ludwig

By: /s/ Leon F. Mead

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16 *Attorneys for Use Plaintiff Armada*
17 *Concrete, LLC and Third Party*
18 *Defendant Liberty Mutual Insurance Co.*

Attorneys for Jaynes Corporation
and Western Surety Company

18 **IT IS SO ORDERED.**

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21 UNITED STATES MAGISTRATE JUDGE

22 DATED: August 29, 2016.

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