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Joseph Kupiec, The Nevada Commercial
Group LLC, and John Pinjuv*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

NEWMARK GROUP INC., G&E
ACQUISITION COMPANY LLC, and
BGC REAL ESTATE OF NEVADA LLC,

Plaintiffs,

vs.

AVISON YOUNG (CANADA) INC.,
AVISON YOUNG (USA) INC., AVISON
YOUNG–NEVADA LLC, MARK ROSE,
THE NEVADA COMMERCIAL GROUP,
JOHN PINJUV, and JOSEPH KUPIEC; DOES
1 through 5; and ROE BUSINESS ENTITIES
6 through 10,

Defendants.

Case No. 2:15–cv–00531–RFB–EJY

**STIPULATION AND ORDER
REGARDING HEARING ON
DEFENDANTS’ MOTION FOR
SANCTIONS PURSUANT TO FED. R.
CIV. P. 30(d)(2) AND 37(d) (ECF No.
502) AND PLAINTIFFS’ MOTION
FOR SANCTIONS UNDER FEDERAL
RULES OF CIVIL PROCEDURE
30(d)(2) AND 37(d) (ECF No. 509)**

1 In accordance with the Court’s January 10, 2022, order (ECF No. 555), Plaintiffs
2 Newmark Group Inc., G&E Acquisition Company LLC, and BGC Real Estate of Nevada
3 (together, “Plaintiffs”), through their counsel of record, and Defendants Avison Young (Canada)
4 Inc., Avison Young (USA) Inc., Avison Young–Nevada LLC, Mark Rose, Joseph Kupiec, John
5 Pinjuv, and The Nevada Commercial Group (together, “Defendants”), through their counsel of
6 record, hereby stipulate to, and request the entry of, an order setting a hearing date of February
7 16, 2022, on *Defendants’ Motion for Sanctions Pursuant to Fed. R. Civ. P. 30(d)(2) and 37(d)*
8 *(ECF No. 502)* (“Defendants’ Motion”) and *Plaintiffs’ Motion for Sanctions Under Federal Rules*
9 *of Civil Procedure 30(d)(2) and 37(d) (ECF No. 509)* (“Plaintiffs’ Motion”), as set forth below.
10

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12 **STIPULATION**

- 13 1. On September 29, 2021, Defendants’ filed Defendants’ Motion, which has been
14 fully briefed.
- 15 2. On October 6, 2021, Plaintiffs filed Plaintiffs’ Motion, which has been fully
16 briefed.
- 17 3. At the January 10, 2022, hearing in this matter, the Court provided three potential
18 hearing dates for Defendants’ Motion and Plaintiffs’ Motion: February 11, 16, and 18, 2022.
- 19 4. Having conferred and agreed, the parties respectfully request that the Court
20 schedule the hearing on Defendants’ Motion and Plaintiffs’ Motion for February 16, 2022.
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Dated: January 13, 2022

Respectfully submitted by:

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Joseph Kupiec, The Nevada Commercial
Group LLC, and John Pinjuv*

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, certify that on January 13, 2022, I caused a true and correct copy of the
3 foregoing **Stipulation and Order Regarding Defendants’ Motion for Sanctions Pursuant**
4 **to Fed. R. Civ. P. 30(d)(2) and 37(d) (ECF No. 502) and Plaintiffs’ Motion for Sanctions**
5 **Under Federal Rules of Civil Procedure 30(d)(2) and 37(d) (ECF No. 509)** to be filed
6 electronically with the clerk of court using the court’s CM/ECF system, which will send a
7 notification of electronic filing to the counsel of record who have entered an appearance in this
8 case, including:
9

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25 *Avison Young–Nevada LLC,*
26 *Mark Rose, Joseph Kupiec, The Nevada*
27 *Commercial Group LLC, and John Pinjuv*

24 /s/ Tina B. Solis
25 *One of the Attorneys for Plaintiffs Newmark Group*
26 *Inc., G&E Acquisition Company LLC,*
27 *and BGC Real Estate of Nevada LLC*