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

STIPULATION

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

1	Dated: January 13, 2022	
2	Respectfully submitted by:	
3	NIXON PEABODY LLP	STEPTOE & JOHNSON LLP
4	By: <u>/s/ Tina B. Solis</u>	By: /s/ Nathaniel J. Kritzer
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16	Attorneys for Plaintiffs Newmark Group Inc.,	Attorneys for Defendants Avison Young
17	G&E Acquisition Company LLC, and BGC RealEstate of Nevada LLC	(Canada) Inc., Avison Young (USA) Inc., Avison Young–Nevada LLC, Mark Rose,
18		Joseph Kupiec, The Nevada Commercial Group LLC, and John Pinjuv
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ORDER Having reviewed the foregoing stipulation and found it to be supported by good cause, IT IS HEREBY ORDERED that the hearing on (1) Defendants' Motion for Sanctions Pursuant to Fed. R. Civ. P. 30(d)(2) and 37(d) (ECF No. 502) and (2) Plaintiffs' Motion for Sanctions Under Federal Rules of Civil Procedure 30(d)(2) and 37(d) (ECF No. 509) shall occur on February 16, 2022, at 10:30am Pacific Daylight Time via zoom conference. The parties shall contact Elvia Garcia, Courtroom Deputy for the undersigned Magistrate Judge, no later than noon, Pacific Daylight Time, on Friday, February 11, 2022 at Elvia Garcia@nvd.uscourts.gov to provide email addresses at which parties shall receive Zoom invites. IT IS SO ORDERED. IT IS FURTHER ORDERED that persons granted with remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary to the Court. puchab Magistrate Judge DATED: January 13, 2022

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 9 case, including: 10 Robert S. Larsen Wing Y. Wong 11 Gordon & Rees Scully Mansukhani LLP 300 S. 4th St., Suite 1550 12 Las Vegas, Nevada 89101 13 Tel. (702) 577-9301 Fax. (702) 255-2858 14 rlarsen@grsm.com wwong@grsm.com 15 Nathaniel Kritzer 16 Steptoe & Johnson LLP 17 1114 Avenue of the Americas New York, NY 10036 18 Tel. (212) 378-7535 Fax (212) 506-3950 19 nkritzer@steptoe.com 20 Attorneys for Defendants Avison 21 Young (Canada) Inc., Avison Young (USA) Inc., Avison Young-Nevada LLC, 22 Mark Rose, Joseph Kupiec, The Nevada Commercial Group LLC, and John Pinjuv 23 24 /s/ Tina B. Solis

One of the Attorneys for Plaintiffs Newmark Group Inc., G&E Acquisition Company LLC, and BGC Real Estate of Nevada LLC

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