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MARRIOTT OWNERSHIP RESORTS, INC.
8 and CATHERINE LOVERA

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 GALO RECALDE,

12 Plaintiff,

13 v.

14 MARRIOTT OWNERSHIP RESORTS, INC.,
15 a Foreign Corporation, D/B/A MARRIOTT
VACATION INTERNATIONAL CLUB
16 GRAND CHATEAU, LAS VEGAS;
CATHERINE LOVERA, an individual; DOES
17 1 through X; and ROE BUSINESS ENTITIES
I through X, inclusive,

18 Defendants.
19

Case No. 2:15-cv-01627-JCM-NJK

**REQUEST FOR AN EXEMPTION FOR
DEFENDANT CATHERINE LOVERA TO
ATTEND THE EARLY NEUTRAL
EVALUATION SESSION IN PERSON**

20 Pursuant to Local Rule 16.6(e), Defendant Catherine Lovera, by and through her counsel
21 of record, hereby respectfully requests that she be exempted from attending the Early Neutral
22 Evaluation Session ("ENE") in person.

23 This case has been referred to the Honorable Peggy A. Leen, United States Magistrate
24 Judge, to conduct the ENE in Las Vegas, Nevada on May 4, 2016, at 9:30 a.m. The order
25 scheduling the ENE (doc. 25) states that Ms. Lovera "shall appear in person unless the court enters
26 an order granting a request for exception." However, Ms. Lovera will be out of the country on that
27 day on a non-refundable trip that was planned before the ENE was scheduled. Accordingly, Ms.
28 Lovera respectfully requests that she be exempted from attending the ENE in person, and that she

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be allowed to participate, if necessary, by telephone.

It is not necessary for Ms. Lovera to attend the ENE in person. Defendant Marriott Ownership Resorts, Inc. ("MORI"), the primary defendant in this case, will attend in person and has full authority to settle this matter on behalf of Defendant Lovera. As such, a person with full authority to settle the claims against Ms. Lovera will be attending the ENE in person.

Therefore, Ms. Lovera respectfully requests that she be exempted from attending the ENE in person.

DATED this 21 day of April, 2016

PAYNE & FEARS LLP

By /s/ Matthew L. Durham
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Attorneys for Defendants
MARRIOTT OWNERSHIP RESORTS, INC.
and CATHERINE LOVERA

4813-0232-6576.1

IT IS SO ORDERED.
Dated: April 29, 2016.

 Peggy A. Leen
PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2016, I served a true and correct copy of the above and foregoing, **REQUEST FOR EXEMPTION FOR DEFENDANT CATHERINE LOVERA TO ATTEND THE EARLY NEUTRAL EVALUATION SESSION IN PERSON** this date by electronic transmission through the court's electronic filing program.

/s/ Nancy Babas
Nancy Babas
An Employee of PAYNE & FEARS LLP

4819-3063-8375.1

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