

McDONALD • CARANO • WILSON LLP
2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
PHONE (702) 873-4100 • FAX (702) 873-9966

1 KRISTEN T. GALLAGHER (NSBN 9561)
2 AMANDA M. PERACH (NSBN 12399)
3 McDONALD CARANO WILSON LLP
4 2300 West Sahara Avenue, Suite 1200
5 Las Vegas, Nevada 89102
6 Telephone: 702.873.4100
7 kgallagher@mcdonaldcarano.com
8 aperach@mcdonaldcarano.com

9 *Attorneys for Defendant A. O. Smith Corporation*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 PROPERTY CASUALTY INSURANCE
13 COMPANY OF HARTFORD,

14 Plaintiff,

15 vs.

16 A.O. SMITH CORPORATION, a Delaware
17 corporation; and L.Y. Inc., doing business as
18 Residential Service Center, a Nevada
19 corporation, inclusive,

20 Defendants.

Case No.: 2:15-cv-01678-JAD-CWH

**STIPULATION AND ORDER
REGARDING A. O. SMITH
CORPORATION'S ATTORNEYS' FEES
AND COSTS INCURRED IN
CONNECTION WITH
MOTION TO COMPEL**

21 WHEREAS, A.O. Smith Corporation ("A.O. Smith") filed a motion to compel (ECF No.
22 49) (the "Motion to Compel") on June 28, 2016 against Property Casualty Insurance Company of
23 Hartford ("Hartford" and with A.O. Smith, the "Parties") seeking the production of certain
24 documents and information and sanctions in the form of its attorneys' fees and costs associated
25 with bringing the Motion to Compel;

26 WHEREAS, a hearing on A.O. Smith's Motion to Compel took place on December 5,
27 2016;

28 WHEREAS, this Court entered a minute order (ECF No. 70) on December 5, 2016 (the
"Minute Order") granting the Motion to Compel, in part, and finding that, pursuant to Fed. R.
Civ. P. 37, A.O. Smith was entitled to sanctions in the form of recovery of its attorneys' fees and
costs incurred in bringing the Motion to Compel, reply in support of the same and preparation for
and appearance at the hearing on the same;

1 WHEREAS, the Court further ordered that the costs and fees shall be calculated at the
2 hourly rate defense counsel charges A.O. Smith and that the parties shall meet and confer
3 regarding the amount of fees and costs payable to A.O. Smith;

4 WHEREAS, pursuant to the Minute Order, the Parties conducted a meet and confer on
5 December 14, 2016 and thereafter reached a compromise as to the amount of attorneys' fees and
6 costs to be paid by Hartford in connection with the Motion to Compel;

7 WHEREAS, the undersigned counsel for A.O. Smith hereby represents that a total of
8 \$7,156.25 has been billed and paid by A.O. Smith for the drafting of the Motion to Compel and
9 reply in support of the same. The undersigned counsel further represents that an additional
10 \$962.50 will be billed to A.O. Smith for preparation for and attendance at the hearing on the
11 Motion to Compel;

12 NOW THEREFORE, the Parties, by and through their respective undersigned counsel,
13 hereby stipulate and agree that the attorneys' fees and costs awarded to A.O. Smith shall be
14 \$7,600.00, payable to counsel for A.O. Smith within 14 days of entry of this Order.

15 DATED this 20th day of December, 2016.

16 McDONALD CARANO WILSON LLP

BAUMAN LOEWE WITT & MAXWELL

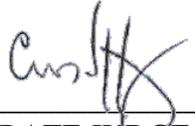
17 By: /s/ Amanda M. Perach
18 Kristen T. Gallagher, Esq.
19 Amanda M. Perach, Esq.
20 2300 W. Sahara Avenue, Suite 1200
21 Las Vegas, NV 89102
22 kgallagher@mcdonaldcarano.com
23 aperach@mcdonaldcarano.com

By: /s/ Kenneth W. Maxwell
Kenneth W. Maxwell, Esq.
Micah Mtatabikwa-Walker, Esq.
3650 N. Rancho Drive, Suite 114
Las Vegas, NV 89130
kmaxwell@blwmlawfirm.com
mwalker@blwmlawfirm.com

*Attorneys for Defendant A. O. Smith
Corporation*

*Attorneys for Plaintiff Property Casualty
Insurance Company of Hartford*

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: December 22, 2016