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formerly Archer Western Contractors, Ltd.  
and Travelers Casualty and Surety Company  
of America

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the Use  
and Benefit of GALLAGHER-KAISER  
Corp.,

Plaintiff,

vs.

ARCHER WESTERN CONTRACTORS,  
LTD. a/k/a ARCHER WESTERN  
CONTRACTORS, LLC; TRAVELERS  
CASUALTY AND SURETY COMPANY OF  
AMERICA,

Defendants.

ARCHER WESTERN CONTRACTORS, LTD.  
a/k/a ARCHER WESTERN CONTRACTORS,  
LLC,

Counterclaim-claimants

vs.

CASE NO. 2:15-CV-02150—RFB-PAL

**STIPULATION AND ORDER LIMITING  
DISCOVERY UNTIL APRIL 30, 2016**

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1 UNITED STATES OF AMERICA, for the Use  
and Benefit of GALLAGHER-KAISER CORP.,

2 and

3 ARCH INSURANCE COMPANY, d/b/a ARCH  
4 INSURANCE GROUP, INC.,

5 Counterclaim-defendants.  
6

7 On December 4, 2015, Defendants, Archer Western Contractors, LLC, formerly Archer  
8 Western Contractors, Ltd. (“Archer Western”), and Travelers Casualty and Surety Company of  
9 America (“Travelers”) (collectively, “Defendants”), by counsel, filed a Motion to Stay this Matter  
10 and subsequent to briefs in opposition and in reply, a hearing was held by the Court on January 19,  
11 2016, at 2:00 P.M. At the hearing, the Parties hereto reached an agreement on the matters presented  
12 in the Motion to Stay and, the Parties HEREBY STIPULATE AND AGREE as follows:

13  
14 1. Until April 30, 2016, the Parties shall limit their activities in this matter to discovery  
15 pursuant to Rules 33, 34 and 36 on matters germane to whether specific claims or portions of  
16 claims asserted in this litigation by the Plaintiff are claims which are or may be governed by  
17 Section 11.3 of the subcontract agreement executed on or about April 27, 2011.

18  
19 2. By participating in the limited discovery as set forth in Paragraph (1), neither party  
20 shall be deemed to have waived any rights, privileges, or defenses as to whether the claims or  
21 portions of claims subject to the limited discovery are governed by Section 11.3 of the subcontract  
22 agreement.

23  
24 3. Except for the limited discovery set forth in Paragraph (1), Rule 26 shall govern all  
discovery with the requirements of paragraphs (a) and (f) being deferred until after April 30, 2016.

25  
26 4. On or before 14 days prior to April 30, 2016, the Parties shall report to the Court on  
27 the status of their discovery and their efforts to reach a joint agreement on Plaintiff’s claims that are  
28 not governed by Section 11.3 and thus are the proper subject of this litigation.

1 UNITED STATES OF AMERICA, for the Use and Benefit of  
2 GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,  
3 LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC  
4 U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL  
5 STIPULATION AND ORDER LIMITING  
6 DISCOVERY UNTIL APRIL 30, 2016

7 DATED this 26<sup>th</sup> day of January, 2016.

8 PEEL BRIMLEY LLP

9 THE FAUX LAW GROUP

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28 and Travelers Casualty and Surety Company of  
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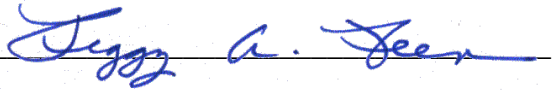
KRAFTSON CAUDLE

18 /s/ Larry W. Caudle, Jr.  
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1 UNITED STATES OF AMERICA, for the Use and Benefit of  
2 GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,  
3 LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC  
4 U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL  
5 STIPULATION AND ORDER LIMITING  
6 DISCOVERY UNTIL APRIL 30, 2016

7  
8 **ORDER**

9 IT IS HEREBY ORDERED.

10  
11 

12 United States District Court Magistrate Judge

13 Dated: January 27, 2016