

1 DENNIS L. KENNEDY (NV Bar No. 1462)
 JOSEPH A. LIEBMAN (NV Bar No. 10125)
 2 JOSHUA P. GILMORE (NV Bar No. 11576)
 ANDREA M. CHAMPION (NV Bar No. 13461)
 3 **BAILEY ♦ KENNEDY**
 8984 Spanish Ridge Avenue
 4 Las Vegas, Nevada 89148-1302
 Telephone: 702.562.8820
 5 Facsimile: 702.562.8821
 DKennedy@BaileyKennedy.com
 6 JLiebman@BaileyKennedy.com
 JGilmore@BaileyKennedy.com
 7 AChampion@BaileyKennedy.com

8 PETER S. CHRISTIANSEN (NV Bar No. 5254)
 R. TODD TERRY (NV Bar No. 6519)
 9 KENDELEE L. WORKS (NV Bar No. 9611)
 WHITNEY J. BARRETT (NV Bar No. 13662)
 10 KEELY A. PERDUE (NV Bar No. 13931)
CHRISTIANSEN LAW OFFICES
 11 810 S. Casino Center Boulevard, Suite 104
 Las Vegas, Nevada 89101
 12 Telephone: 702.240.7979
 Facsimile: 866.412.6992
 13 pete@christiansenlaw.com
 tterry@christiansenlaw.com
 14 kworks@christiansenlaw.com
 wbarrett@christiansenlaw.com
 15 keely@christiansenlaw.com

16 *Attorneys for Defendants/Counterclaimants*

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19 ALLSTATE INSURANCE COMPANY,
20 ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
21 INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

22 vs.

23 MARJORIE BELSKY, MD, MARIO
TARQUINO, MD, MARJORIE BELSKY, MD,
24 INC. doing business as, INTEGRATED PAIN
SPECIALISTS, and MARIO TARQUINO, MD,
25 INC., DOES 1-100 and ROES 101-200,

26 Defendants.

27 AND RELATED CLAIMS.
28

Case No. 2:15-cv-02265-MMD-DJA

**STIPULATION TO AMEND THE
STIPULATED CONFIDENTIALITY
AGREEMENT AND PROTECTIVE
ORDER**

BAILEY ♦ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

BAILEY ♦ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

1 The parties, by and through their respective counsel of record, hereby stipulate and agree to
2 amend the Stipulated Confidentiality Agreement and Protective Order (“Stipulated Protective
3 Order”), previously entered by this Court on June 6, 2016 [ECF No. 49].

4 Specifically, the parties stipulate and agree to amend the definition of “Confidential
5 Information” in Section II of the Stipulated Protective Order to now read as follows:

6 “Confidential Information” shall mean and include information,
7 testimony, interrogatory responses, responses to requests for
8 admissions, documents, materials, items and tangible things produced,
9 disclosed or otherwise exchanged in discovery in this action, regardless
10 of the medium or manner generated, stored or maintained (collectively,
11 “Discovery Material”), (i) which has not been made public, and (ii)
12 which constitutes protected health information (as defined under
13 HIPAA) pertaining to those non-parties (a) who are identified (by
14 initials) in Exhibit “A” to the Amended Complaint for Damages and
15 Demand for Jury Trial [ECF No. 41] (the “Amended Complaint”) or (b)
16 who are identified (by initials) in Exhibit “C” to this protective order in
17 regards to Defendants’ Amended Counterclaims [ECF No. 145] (the
18 “Amended Counterclaims”), and/or (iii) which constitutes trade secrets,
19 confidential research and development information, know-how,
20 proprietary data, commercial information, company policies or
21 practices, financial information, accounting information, business
22 strategies, personnel files, and/or highly personal and sensitive
23 information, (iv) which the producing party maintains in confidence,
24 and; (iv) which the producing party in good faith believes that the
25 unprotected disclosure or production of which may result in economic
26 or competitive injury or harm to or invasion of its rights or the rights of
27 a non-party to this action.
28

18 The parties further stipulate and agree that Exhibit “C”, as referenced in the above amended
19 definition of “Confidentiality Information,” a copy of which is attached hereto, shall be deemed to
20 be affixed to and made a part of the Stipulated Protective Order.

21 The parties further stipulate and agree that compliance with Section 4.4 of the Stipulated
22 Protective Order is not required prior to any disclosure or use of protected health information for
23 those patients identified (by initials) in Exhibit “C.”

24 This Stipulation is brought in good faith and not for the purpose of delay.

25 ///

26 ///

27 ///

28 ///

1 Based on the foregoing, the parties respectfully request that the Court approve this
2 Stipulation and hereby amend the Stipulated Protective Order as outlined above. Except as amended
3 by this Stipulation, all provisions of the Stipulated Protective Order shall remain unmodified and in
4 full force and effect.

5 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

6 DATED this 22nd day of October, 2020.

DATED this 22nd day of October, 2020.

7 BAILEY ❖ KENNEDY

FAIN ANDERSON VANDERHOEF
ROSENDAHL O'HALLORAN SPILLANE
PLLC

8 By: /s/Andrea M. Champion
9 DENNIS L. KENNEDY
10 JOSEPH A. LIEBMAN
11 JOSHUA P. GILMORE
ANDREA M. CHAMPION
8984 Spanish Ridge Avenue
Las Vegas, NV 89149

By: /s/Todd W. Baxter
ERON Z. CANNON
JENNIFER M. SMITROVICH
701 Fifth Avenue, Suite 4750
Seattle, WA 98104

12 PETER S. CHRISTIANSEN
13 R. TODD TERRY
14 KENDELEE L. WORKS
15 WHITNEY J. BARRETT
CHRISTIANSEN LAW OFFICES
810 S. Casino Center Blvd., Suite 104
Las Vegas, NV 89101

TODD W. BAXTER
McCORMICK, BARSTOW,
SHEPPARD, WAYTE & CARRUTH
LLP
8337 West Sunset Road, Suite 350
Las Vegas, NV 89113

16 *Attorneys for Defendants/Counterclaimants*
17 MARJORIE BELSKY, MD, MARIO
18 TARQUINO, MD, MARJORIE BELSKY,
MD, INC. d/b/a INTEGRATED PAIN
SPECIALISTS, and MARIO TARQUINO,
MD, INC.

DYLAN P. TODD
FORAN GLENNON PALANDECH
PONZI & RUDLOFF PC
2200 Paseo Verde Pkwy., Suite 280
Henderson, NV 89052

Attorneys for Plaintiffs/Counterdefendants
ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASULATY INSURANCE
COMPANY

BAILEY ❖ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED: October 28, 2020

Respectfully submitted by:

BAILEY ❖ KENNEDY

By: /s/ Andrea M. Champion

DENNIS L. KENNEDY
JOSEPH A. LIEBMAN
JOSHUA P. GILMORE
ANDREA M. CHAMPION
8984 Spanish Ridge Avenue
Las Vegas, NV 89149

PETER S. CHRISTIANSEN
R. TODD TERRY
KENDELEE L. WORKS
WHITNEY J. BARRETT
CHRISTIANSEN LAW OFFICES
810 S. Casino Center Blvd., Suite 104
Las Vegas, NV 89101

Attorneys for Defendants/Counterclaimants
MARJORIE BELSKY, MD, MARIO
TARQUINO, MD, MARJORIE BELSKY,
MD, INC. d/b/a INTEGRATED PAIN
SPECIALISTS, and MARIO TARQUINO,
MD, INC.

BAILEY ❖ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

EXHIBIT C

EXHIBIT C

Allstate v. Belsky

EXHIBIT C

ADDITIONAL CLAIMANT DOCUMENTS PRODUCED BY ALLSTATE

Allstate Claim No.	Date of Loss	Claimant Initials
0408822930	04/09/16	LP & EP
0419951297	06/29/16	MT
0518441761	09/25/18	EB
0543974166	05/01/19	TE

003246-001560 6949735.1