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 9 Third-Party Plaintiff, Charles H. Thornton, Ph.D., P.E.

10
 11 **UNITED STATES DISTRICT COURT**
 12 **DISTRICT OF NEVADA**

13 DONALD L. BLACKWELDER, an individual,
 and derivatively on behalf of THORNTON-
 14 TERMOHLEM GROUP CORPORATION, a
 Nevada corporation, DOES I through X, and
 15 ROE CORPORATIONS I through X,

16 Plaintiffs,

17 v.

18 CHARLES THORNTON, individually; BRIAN
 HOWELLS, individually; and AECOS, LTD., a
 19 Nevada corporation,

20 Defendants.

21 CHARLES H. THORNTON, Ph.D., P.E., an
 individual,

22 Crossclaimant,

23 v.

24 BRIAN HOWELLS, individually; AECOS,
 LTD., a Nevada corporation, DOES 1 through
 25 10, and ROES 1 – 10, inclusive,

26 Crossdefendants.

Case No.: 2:15-cv-02373-JAD-PAL

**DEFENDANT/CROSS
 CLAIMANT/THIRD-PARTY
 PLAINTIFF CHARLES H.
 THORNTON'S STATUS REPORT**

1 CHARLES H. THORNTON, Ph.D., P.E., an
2 individual,

3 Third-Party Plaintiff,

4 v.

5 LEONARD NEUHAUS, individually, DOES 1
6 through 10, inclusive,

7 Third-Party Defendants.

8 Defendant/Cross-Claimant/Third-Party Plaintiff Charles H. Thornton, Ph.D., P.E, by and
9 through his counsel or record, Nicholas M. Wieczorek, Esq., Jeremy J. Thompson, Esq. and
10 Colleen E. McCarty, Esq. of the law firm of Clark Hill PLLC, hereby submits the following
11 individual status report ("Status Report") to the court. This report has been reviewed by counsel
12 for Plaintiff who concurs with its content.

13 DATED this 7 day of August, 2018.

14 CLARK HILL PLLC

15
16 By: 

17 NICHOLAS M. WIECZOREK

18 Nevada Bar No. 6170

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21 Las Vegas, Nevada 89169

22 Attorneys for Defendant/CrossClaimant/Third-
Party Plaintiff Charles H. Thornton, Ph.D., P.E.

23 **THE MATTER IS STILL NOT GLOBALLY RESOLVED.**

24 Pursuant to its order dated July 19, 2018 ("DOC 81"), the Court gave the parties up
25 through July 27, 2018 to file a Stipulation for Dismissal with Prejudice of the action. The issues
26 as between Plaintiff Donald Blackwelder and Defendant Charles Thornton have, for a period of
27 several months, been settled and concluded. As indicated in counsel's prior status report to the
28 court dated July 17, 2018 ("DOC 79"), Mr. Thornton has transferred consideration for the

1 settlement between himself and Plaintiff Donald Blackwelder, provided compliance with other
2 terms of the settlement agreement, and has been awaiting receipt of a Stipulation for Dismissal of
3 the action as to him.

4 However, claims as between Mr. Blackwelder, Mr. Thornton and Co-Defendants AECOS,
5 Limited, and Brian Howells have not been concluded.

6 Although Mr. Thornton filed a Cross-Claim against Mr. Howells and AECOS in tandem
7 with answering the complaint on March 8, 2016 (“DOC 15”), Mr. Thornton no longer intends to
8 litigate those claims against Mr. Howells and AECOS in this Nevada action. Accordingly, the
9 Thornton Cross-Claim and Third Party Action will be dismissed with respect to this case.

10 As counsel reported in his July 17, 2018 status report, the difficulty with respect to global
11 dismissal of this action rests with the delay experienced in the New Jersey Superior Court action.
12 New Jersey counsel has now advised that orders on pending motions to approve the settlement of
13 this action with the receiver for AECOS will not issue prior to August 10, 2018. Charles Thornton
14 hereby respectfully requests that the Court modify its order contained within (“DOC 81”), and
15 extend the time within which the parties must file a Stipulation for Dismissal of the action with
16 Prejudice up through and including August 31, 2018 to allow full resolution of all matters
17 pertaining to this case.

18 DATED this 7 day of August, 2018.

19 CLARK HILL PLLC

20
21 By: 

NICHOLAS M. WIECZOREK

Nevada Bar No. 6170

JEREMY J. THOMPSON

Nevada Bar No. 12503

COLLEN E. McCARTY

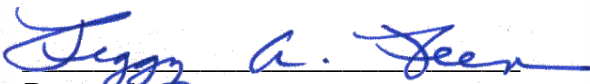
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Las Vegas, Nevada 89169

Attorneys for Defendant/CrossClaimant/Third-
Party Plaintiff Charles H. Thornton, Ph.D., P.E.

22 **IT IS SO ORDERED** this 22nd day
23 of August, 2018.

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Peggy A. Leen

26 United States Magistrate Judge

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Clark Hill PLLC, and that on this 7 day of August, 2018 I served a true and correct copy of the foregoing **DEFENDANT/CROSS-CLAIMANT/THIRD-PARTY PLAINTIFF CHARLES H. THORNTON'S STATUS REPORT** via U.S. Mail, postage prepaid, upon counsel identified below at their last known address also indicated below:

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Ltd.



An Employee of Clark Hill PLLC