

1 LEON GREENBERG, ESQ., SBN 8094  
2 DANA SNIEMOCKI, ESQ., SBN 11715  
3 Leon Greenberg Professional Corporation  
4 2965 South Jones Blvd- Suite E3  
5 Las Vegas, Nevada 89146  
6 Tel (702) 383-6085  
7 Fax (702) 385-1827  
8 leongreenberg@overtimelaw.com  
9 dana@overtimelaw.com

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CAMERON E. OLIVER, Individually and on  
behalf of others similarly situated,

Plaintiff,

vs.

BELL TRANS, a Nevada Corporation, and  
BRENT J. BELL,

Defendants.

CASE NO.: 2:16-cv-00305-JAD-PAL

**STIPULATION AND ORDER TO  
PARTIALLY STAY PROCEEDINGS  
AND WITHDRAW PLAINTIFF'S  
MOTION AT ECF 56**

ECF Nos. 56, 63, 64, 70, 75

Plaintiff Cameron E. Oliver, (“Plaintiff”) and Defendants Bell Trans and Brent J. Bell (collectively, “Bell Trans” or “Defendants”), through their counsel of record, submit the below stipulation to partially stay proceedings in the above captioned matter and withdraw without prejudice plaintiff's motion at ECF 56 seeking to circulate a notice of pendency.

This Stipulation is submitted as part of the parties' good faith efforts to present to the Court a class action settlement of this litigation for the Court's approval. Those efforts included the Court's Order of June 19, 2017, ECF 45, granting the parties' stipulation to stay this matter until July 27, 2017 in order to

1 allow the parties time to set forth in greater detail the terms of the parties' proposed  
2 settlement, as well as to allow Plaintiff's counsel time to file a motion seeking the  
3 Court's approval of the settlement terms. That Order, ECF 45, was the result of  
4 the parties' agreement during a mediation held on June 12, 2017 to present to the  
5 Court a proposal to settle, on a collective and class-wide basis, all disputes and  
6 claims related to this litigation and a related litigation (the related litigation being  
7 Case No. 2:15-cv-01066-MMDPAL, *Willie Thurmond v. Presidential Limousine*).  
8 Owing to certain disagreements between the parties, the settlement proposal  
9 contemplated by the parties at their mediation was not presented to the Court for its  
10 approval.. As a result, at a status conference held on February 12, 2018 with  
11 District Judge Dorsey, a minute order was issued and this case returned to active  
12 litigation. *See*, ECF 57.

13  
14  
15  
16  
17  
18 As a result of the return of this case to active litigation on February 12, 2018,  
19 plaintiff re-filed a motion seeking to circulate a notice of pendency under the Fair  
20 Labor Standards Act, ECF 56, that motion having originally been filed prior to the  
21 parties' mediation on April 26, 2017, ECF 29, and denied without prejudice by the  
22 stay effectuated by the Court's Order at ECF 45. Defendants in turn filed  
23 opposition to that motion (ECF 59) and a now withdrawn motion for sanctions  
24 (ECF 65 withdrawn at ECF 74) with plaintiff filing a reply in support of their  
25 motion for notice of pendency (ECF 66) and a motion to strike ECF 59 (ECF 67)  
26 and an opposition to the defendants' motion for sanctions (ECF 72).  
27  
28

1 Since the Court's February 12, 2018 status conference, and the foregoing  
2 sequence of motion filings, oppositions, and replies, the parties have further  
3 conferred and committed to participate in a binding mediation session on July 31,  
4 2018 with JAMS mediator and retired Judge Stewart Bell who also officiated at the  
5 July 2017 mediation session. The parties, except for one issue discussed *infra*,  
6 have pledged to resolve their outstanding differences, which the parties also agree  
7 are limited in scope, and present to the Court a settlement proposal based upon  
8 their agreement and whatever rulings Judge Bell makes at the mediation session  
9 that are necessary to fully finalize such agreement. The one issue that the parties  
10 cannot resolve is the plaintiff's pending motion ECF 67 which seeks to strike from  
11 the record defendants' filing of certain materials at ECF 59 and 66 (along with the  
12 striking of ECF 65 and 72 of the necessary response to those materials). The  
13 parties do not agree to stay the disposition of plaintiffs' motion at ECF 67 and the  
14 parties request the Court suitably rule on that motion in due course.

15  
16  
17  
18  
19  
20 In light of the foregoing, the parties believe this litigation, with the exception  
21 of the Court's consideration and disposition of plaintiffs' motion at ECF 67, should  
22 be stayed until August 30, 2018, which is 30 days after the currently scheduled  
23 July 31, 2018 binding mediation session and the *status quo* of this litigation  
24 otherwise maintained without prejudice to any of the parties' litigation positions.  
25 The parties are confident that a proposed class action settlement will be presented  
26 to the Court for its consideration prior to the expiration of that stay.  
27  
28

1 It therefore is hereby Stipulated, Agreed and Ordered, that:

2 1. This case is stayed, except for the plaintiff's motion at ECF 67 which  
3 shall be decided by the Court, until August 30, 2018; and  
4

5 2. Plaintiff's motion at ECF 56 is withdrawn without prejudice.  
6  
7  
8  
9

10 Dated May 16, 2018

Dated May 16, 2018

11 Respectfully submitted,

Respectfully submitted,

12  
13 /s/ Leon Greenberg  
14 LEON GREENBERG, ESQ.  
15 DANA SNIEGOCKI, ESQ.  
16 LEON GREENBERG  
17 PROFESSIONAL CORPORATION  
18 2965 South Jones Blvd., #E3  
Las Vegas, NV 89146  
Tel (702) 383-6085  
Fax (702) 385-1827  
Attorneys for Plaintiffs

/s/ Anthony Hall  
ANTHONY L. HALL, ESQ.  
PETER NAVARRO, ESQ.  
HOLLAND & HART LLP  
5441 Kietzke Lane, Second Floor  
Reno, NV 89511  
Tel: (775) 327-3000  
Fax: (775) 786-6169  
Attorneys for Defendants

19 **ORDER**

20  
21 Based on the parties' stipulation [ECF No. 75] and good cause appearing, IT IS  
HEREBY ORDERED THAT:

22 (1) The Motion for Circulation of Notice [ECF No. 56] is **DEEMED WITHDRAWN**  
23 without prejudice;

24 (2) The stipulations for extension of time to respond to that motion, and the Motion for  
25 Leave to File Supplement re: Reply [ECF Nos. 63, 64, 70] are **DENIED** as moot;

26 (3) The Court will address the Motion to Strike [65] Motion for Sanctions [ECF No. 67] in  
27 due course; and

28 (4) **This action is STAYED** for all other purposes until August 30, 2018.

4  
U.S. District Judge Jennifer A. Dorsey  
Dated: May 18, 2018