

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

WELLS FARGO TOWER
SUITE 1500, 3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NV 89169
TELEPHONE: 702.369.6800

1 ANTHONY L. MARTIN
 Nevada Bar No. 8177
 2 anthony.martin@ogletreedeakins.com
 DANA B. SALMONSON
 3 Nevada Bar No. 11180
 4 dana.salmonson@ogletreedeakins.com
 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
 5 Wells Fargo Tower
 Suite 1500
 6 3800 Howard Hughes Parkway
 Las Vegas, NV 89169
 7 Telephone: 702.369.6800
 8 Fax: 702.369.6888

9 *Attorneys for Defendant, Riviera Operating Corporation*
 10 *d/b/a Riviera Hotel & Casino and Paragon Riviera*
 11 *LLC*

12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE DISTRICT OF NEVADA**

14 ROBERT JOHNSTON,
 15
 Plaintiff,
 16
 vs.
 17 RIVIERA OPERATING CORPORATION,
 18 d/b/a RIVIERA HOTEL & CASINO, a
 Nevada corporation, PARAGON RIVIERA
 19 LLC, a Nevada Limited Liability Company,
 20
 Defendants.

CASE NO.: 2:16-cv-00485-JCM-PAL

**STIPULATION AND ORDER FOR
 RIVIERA’S INSURANCE CARRIER TO
 APPEAR TELEPHONICALLY AT THE
 EARLY NEUTRAL EVALUATION
 CONFERENCE**
(First Request)

21 Defendants, Riviera Operating Corporation d/b/a Riviera Hotel & Casino (“Riviera”), and
 22 Paragon Riviera LLC (“Paragon”), (collectively referred to as “Defendants”) and Plaintiff Robert
 23 Johnston (“Plaintiff”) by and through their respective undersigned counsel, hereby agree that
 24 Riviera’s insurance carrier can appear telephonically at the Early Neutral Evaluation (“ENE”),
 25 which is currently set for June 27, 2016 at 9:00 a.m. (ECF No. 13.)

26 On May 27, 2016 Defendants filed their Request for Exemption that Riviera’s insurance
 27 carrier be exempt from attendance at the ENE. (ECF No. 19.) On June 7, 2016, Plaintiff filed an
 28 Opposition (ECF No. 21) indicating that attendance was necessary for Plaintiff to gain specifics

1 regarding coverage. On June 9, 2016, the court denied Defendants' Request with prejudice (ECF
2 No. 22) indicating that it would reconsider Defendants' request for exemption if the parties agree
3 attendance is not required. (*see id.*)

4 On June 9, 2016, the parties met and conferred via e-mail. (*See* Declaration of Dana B.
5 Salmonson at ¶ 5, attached hereto as **Exhibit A.**) Defendants' counsel asked if the insurance
6 carrier could appear telephonically, indicating that Riviera's insurance carrier was in New York
7 and would rather put the cost of travel expenses for personal attendance towards a possible
8 settlement. (*See id.*) Plaintiff's counsel agreed that the insurance carrier could appear
9 telephonically, and the parties agreed to submit this Stipulation as a result. (*See* Exhibit A at ¶ 6.)
10 This stipulation is not brought for the purposes of delay of any other improper purpose.

11 Accordingly, the parties are respectfully requesting that the insurance carrier be allowed to
12 appear telephonically at the June 27, 2016 ENE.

13 Dated this 16th day of June, 2016.

Dated this 16th day of June, 2016.

14 LIZADA LAW FIRM, LTD.

OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C

15 /s/ Angela J. Lizada

/s/ Dana B. Salmonson

16 _____
ANGELA J. LIZADA, ESQ.
17 Nevada Bar No. 11637
800 N. Rainbow Blvd. Ste. 130
18 Las Vegas, NV 89107

_____ ANTHONY L. MARTIN, ESQ.
Nevada Bar No. 8177
DANA B. SALMONSON, ESQ.
Nevada Bar No. 11180
3800 Howard Hughes Parkway
Suite 1500
Las Vegas, Nevada 89169

19 *Attorney for Plaintiff Robert Johnston*

*Attorneys for Defendants, Riviera
Operating Corporation d/b/a Riviera Hotel
& Casino and Paragon Riviera LLC*

20
21
22
23 **ORDER**

24 IT IS SO ORDERED.

25 DATED: 6/16/2016

26
27 

UNITED STATES MAGISTRATE JUDGE