

1 ELDA M. SIDHU
 2 General Counsel
 Nevada Bar No. 7799
 3 DEBRA L. PIERUSCHKA
 Assistant General Counsel
 4 Nevada Bar No. 10185
 UNIVERSITY OF NEVADA, LAS VEGAS
 5 4505 S. Maryland Parkway, Box 451085
 Las Vegas, Nevada 89154-1085
 6 Telephone: (702) 895-5185
 7 Facsimile: (702) 895-5299
Attorneys for Defendants

8
 9 **IN THE UNITED STATES DISTRICT COURT**
 10 **FOR THE DISTRICT OF NEVADA**

11 DR. FRANCIS JONES,
 12 Plaintiff,

Case No.: 2:16-cv-00949-RFB-NJK

13 vs.

**DEFENDANT’S REQUEST TO
 VACATE AND RESCHEDULE EARLY
 NEUTRAL EVALUATION**

14 THE STATE OF NEVADA EX REL.
 15 BOARD OF REGENTS FOR THE
 NEVADA SYSTEM OF HIGHER
 16 EDUCATION ON BEHALF OF THE
 UNIVERSITY OF NEVADA, LAS VEGAS
 17 SCHOOL OF DENTAL MEDICINE; DOES
 18 1-10, AND ROE CORPORATIONS 1-10,
 INCLUSIVELY,
 19 Defendants.

20
 21 Defendant, the State of Nevada ex rel. Board of Regents of the Nevada System of Higher
 22 Education on behalf of the University of Nevada, Las Vegas School of Dental Medicine (“SDM”),
 23 by and through counsel, Elda M. Sidhu, Esq., General Counsel, and Debra L. Pieruschka, Esq.,
 24 Assistant General Counsel, University of Nevada, Las Vegas School of Dental Medicine, Office of
 25 General Counsel, hereby submits, for good cause, its request to vacate and reschedule the Early
 26 Neutral Evaluation (“ENE”) reset for September 15, 2016 at 1:30 p.m.

27 At the time SDM sent its initial request, September 15, 2016 was a viable option. Since
 28 SDM is part of the self-funded Tort Claims Fund, managed by State of Nevada, Office of Attorney

1 General, Nancy L. Katafias, Tort Claims Manager, is a representative that must be present for all
2 potential settlement discussions. Upon receipt of the Order Scheduling the ENE, Ms. Katafias
3 informed us that she is unable to change her schedule as she has an existing settlement conference
4 that she is unable to cancel. I have conferred with all SDM representatives and Ms. Katafias, and
5 they have the following dates available: Sept 12, 14, 19, 21, 22, and 26, 2016. As such, SDM
6 respectfully requests this Court, for good cause, vacate and reschedule the ENE for any of those
7 forgoing dates.

8 Based on the foregoing, SDM submits good cause exists and requests this Court reschedule
9 the ENE to ensure the presence of key individuals to support the utility and purpose of the ENE
10 session.

11 DATED: JULY 11, 2016.


12 /S/ DEBRA L. PIERUSCHKA
13 DEBRA L. PIERUSCHKA
14 Assistant General Counsel
15 Nevada Bar No. 10185
16 UNIVERSITY OF NEVADA, LAS VEGAS
17 4505 S. Maryland Parkway, Box 451085
18 Las Vegas, Nevada 89154-1085
19 Telephone: (702) 895-5185
20 Facsimile: (702) 895-5299
21 *Attorneys for Defendant*

19 IT IS ORDERED that the settlement conference currently set for September 15,
20 2016, is VACATED and CONTINUED to **September 21, 2016, at 9:30 a.m.**, in
21 Chambers, Room 3071.

22 IT IS FURTHER ORDERED that confidential settlement statements are due to
23 Chambers, Room 3071, no later than **4:00 p.m., September 14, 2016**.

24 IT IS FURTHER ORDERED that all other instructions within the original Order
25 Scheduling ENE (ECF No. 15) still apply.

26 Dated: July 19, 2016

27 
28 Peggy A. Leen
United States Magistrate Judge

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11TH day of JULY, 2016, I served the foregoing
DEFENDANT’S REQUEST TO VACATE AND RESCHEDULE EARLY NEUTRAL
EVALUATION via the Court’s CM/ECF Filing System, to the following:

Daniel Marks, Esq.
Christopher L. Marchand, Esq.
LAW OFFICE OF DANIEL MARKS
610 South Ninth Street
Las Vegas, Nevada 89101
office@danielmarks.net
Attorney for Plaintiff

/S/ SHEENA M. CLOW
An employee of the Office of General Counsel
University of Nevada, Las Vegas