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 6 *Attorneys for Defendant,*  
*Smart Industries Corporation*

7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 \*\*\*\*\*

10 WESCO INSURANCE COMPANY as subrogee  
 of its insured NICKELS AND DIMES  
 11 INCORPORATED,

Case No.: 2:16-cv-01206-JCM-NJKH

12 Plaintiff,

13 vs.

14 SMART INDUSTRIES CORPORATION dba  
 SMART INDUSTRIES CORP., MFG., an Iowa  
 15 corporation,

CONSOLIDATED FOR PURPOSES OF  
DISCOVERY AND TRIAL

16 Defendants.

17 JENNIFER WYMAN, individually; BEAR  
 WYMAN, a minor, by and through his natural  
 18 parent JENNIFER WYMAN; JENNIFER  
 WYMAN and VIVIAN SOOF, as Joint Special  
 19 Administrators of the ESTATE OF CHARLES  
 WYMAN; and SARA RODRIGUEZ natural  
 20 parent and guardian ad litem of JACOB  
 WYMAN,

Case No.: 2:16-cv-02378-RFB-GWF

21 Plaintiffs,

22 vs.

23 SMART INDUSTRIES CORPORATION dba  
 SMART INDUSTRIES CORP., MFG, an Iowa  
 24 Corporation; HI-TECH SECURITY INC, a  
 Nevada Corporation; WILLIAM ROSEBERRY;  
 25 BOULEVARD VENTURES, LLC, a Nevada  
 Corporation; DOES 1 through 10; BUSINESS  
 26 ENTITIES I through V; and ROE  
 CORPORATIONS 11 through 20, inclusive,

**NOTICE OF SETTLEMENT AND  
STIPULATION TO VACATE TRIAL AND  
RELATED DEADLINES**

27 Defendants.  
28

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1 HI-TECH SECURITY INC; and WILLIAM  
ROSEBERRY,

2 Third-Party Plaintiffs,

3 vs.

4 NICKELS AND DIMES INCORPORATED,

5 Third-Party Defendants.

6 The parties, by and through their respective counsel of record, hereby notify this Honorable  
7 Court that they have reached agreements to effect settlements of this matter with Smart Industries  
8 Corp. The parties have begun the process of drafting settlement documents and so, the parties agree  
9 that an additional 60 days is needed to allow the parties to finalize the said documents and to submit  
10 a stipulation and order to dismiss this case.

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1 Accordingly, the parties respectfully request that the Court vacate all pending trial-related  
2 deadlines, including the February 7, 2023 Master Trial Calendar Scheduling Conference and the  
3 February 27, 2023 trial date.

4 DATED this 6th day of February, 2023.

DATED this 6th day of February, 2023.

5 BARRON & PRUITT, LLP

EGLET ADAMS

6 /s/ Joseph R. Meservy

/s/ Brittney R. Glover

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15 **SMART INDUSTRIES CORPORATION**

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**JENNIFER WYMAN, BEAR WYMAN; and**  
**ESTATE OF CHARLES WYMAN**

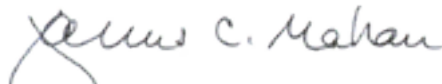
13 DATED this 6th day of February, 2023.

DATED this 6th day of February, 2023.

14 /s/ Cliff W. Marcek  
15 **CLIFF W. MARCEK, ESQ.**  
16 Nevada Bar No. 5061  
17 **CLIFF W. MARCEK, P.C.**  
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20 *Attorneys for Plaintiffs*  
21 **SARA RODRIQUEZ, parent and guardian**  
22 **Of JACOB WYMAN**

/s/ Peter Dubowsky  
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300 South Fourth Street, Suite 1020  
Las Vegas, Nevada 89101  
*Attorneys for WESCO INSURANCE CO.*

23 IT IS SO ORDERED:

24   
25 UNITED STATES DISTRICT JUDGE

26 DATED: February 6, 2023

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