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10 Attorneys for Defendant
11 Alliance Tire Americas, Inc.

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

14 JOSHUA MARTIN,

15 Plaintiff,

16 v.

17 ALLIANCE TIRE AMERICAS, INC., a foreign
corporation; ALLIANCE TIRE GROUP, BV, a
18 foreign corporation; ALLIANCE TIRE &
RUBBER COMPANY (USA), INC., a foreign
19 corporation; THE ALLIANCE TIRE & RUBBER
COMPANY, INC., a foreign corporation, et. al.,

20
21 Defendants.

CASE NO: 2:16-cv-01545-JCM-VCF

22 **STIPULATION AND ORDER TO AMEND THE DEFENDANTS' ANSWER TO ADD**
23 **CROSSCLAIM FOR INTERPLEADER**

24

1 IT IS HEREBY STIPULATED AND AGREED, by and between Defendant ALLIANCE
2 TIRE AMERICAS, INC., and Plaintiff JOSHUA MARTIN, by and through their respective
3 counsel of record, that Defendant's Answer to the Complaint be amended to allow Defendant to
4 assert a cross-claim for interpleader. This interpleader action is necessary to ensure that all
5 parties with potential liens and/or claims to the settlement funds be permitted to seek recovery
6 based on their alleged entitlement to a portion of the total settlement proceeds.

7 Specifically, part, if not all, of Plaintiff's alleged damages were paid by the worker's
8 compensation insurance carrier, Alaris Group, Inc. A dispute has arisen as to the amount due and
9 owing to the worker's compensation insurance carrier and/or excess insurance carrier as
10 repayment of the worker's compensation lien. Pursuant to NRS 616C.215(8)(b), the parties must
11 resolve the lien before finalizing the settlement or may be otherwise liable for the amount due
12 and owing. Defendant therefore seeks to assert an interpleader action and include Alaris Group,
13 Inc. as a named party in the cross-claim for interpleader action in order to resolve the worker's
14 compensation lien prior to the settlement proceeds being distributed to Plaintiff. Plaintiff has
15 stipulated to allow Defendant to so amend its Answer.

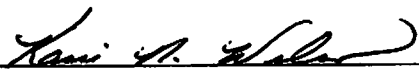
16 DATED this 30th day of May, 2018

DATED this 30th day of May, 2018

17 ALVERSON, TAYLOR
18 MORTENSEN & SANDERS

BERTOLDO BAKER CARTER & SMITH

/s/ Lawrence Smith

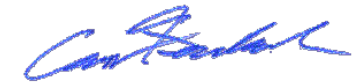
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~~(PROPOSED)~~ ORDER

IT IS SO ORDERED that Defendant Alliance Tire Americas, Inc. is hereby allowed to file an Amended Answer to assert a claim for an interpleader action to include Alaris Group, Inc. as a party. The Amended Answer should be filed within 30 days of the date of this Order.

DATED this 31st day of May, 2018.

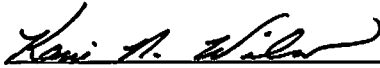


~~U.S. DISTRICT COURT~~ JUDGE

Magistrate

Respectfully submitted by:

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