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6 *Attorneys for Defendant Ainsworth Game*  
 7 *Technology, Inc.*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 DEBORAH HULBERT an individual,

11 Plaintiff,

12 vs.

13 AINSWORTH GAME TECHNOLOGY,  
 INC., a Florida corporation; DOES 1  
 through 20, inclusive,

14 Defendants.

Case No. 2:16-cv-01552-GMN-CWH

**DEFENDANT'S REQUEST FOR  
 EXCEPTION TO EARLY NEUTRAL  
 EVALUATION ATTENDANCE  
 REQUIREMENTS**

15 Defendant Ainsworth Game Technology, Inc. ("Defendant"), by and through its counsel  
 16 Jackson Lewis P.C., hereby respectfully requests an exception to the early neutral evaluation  
 17 ("ENE") attendance requirements.

18 Defendant is insured with Freedom Specialty Insurance Co. ("Freedom Specialty").  
 19 However, Defendant's insurance policy contains a substantial self-insured retention, and Freedom  
 20 Specialty is located in the State of New York, thus a representative from Freedom Specialty would  
 21 incur substantial cost and time requirements to travel to the State of Nevada for the Early Neutral  
 22 Evaluation Session. A representative from Specialty Insurance can participate equally effectively  
 23 via telephone.

24 The parties conferred regarding this request on September 26, 2016. Plaintiff's counsel  
 25 indicated that he has no objection to the representative of the insurance company appearing  
 26 telephonically as needed. Moreover, participation by the insurance carrier via telephone will not  
 27 adversely affect the ENE, and Defendant will attend the ENE with appropriate settlement authority.  
 28

1 Based on the foregoing, Defendant respectfully requests that a representative from  
2 Defendant's insurance carrier be excused from attending in person the ENE; however, a  
3 representative will be available telephonically as needed.

4 Dated this 27th day of September, 2016

5 JACKSON LEWIS P.C.

6  
7 /s/ Phillip C. Thompson

8 Veronica Arechederra Hall, Bar No. 5855  
9 Phillip C. Thompson, Bar No. 12114  
10 3800 Howard Hughes Parkway, Suite 600  
11 Las Vegas, Nevada 89169

12 *Attorneys for Defendant Ainsworth Game  
13 Technology, Inc.*

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17 **IT IS SO ORDERED.**

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19  
20 **UNITED STATES MAGISTRATE JUDGE**

21 **DATED:** 9-27-2016

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee Jackson Lewis P.C. and that on this 27th day of September, 2016, I caused to be sent via ECF filing **DEFENDANT’S REQUEST FOR EXCEPTION TO EARLY NEUTRAL EVALUATION ATTENDANCE REQUIREMENTS** to the following:

James P. Kemp  
Kemp & Kemp  
7435 W. Azure Dr., Suite 110  
Las Vegas, NV 89130

*Attorney for Plaintiff*

/s/ Kelley Chandler  
Employee of Jackson Lewis P.C.

4830-4749-6249, v. 1