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

13 **NATIONWIDE LIFE INSURANCE**  
 14 **COMPANY,**  
 15  
 16 Plaintiff,  
 17  
 18 **LYNN MARTINEZ,**  
 19 **AMERICAN FUNERAL**  
 20 **FINANCIAL, LLC, DIANE COLLEY,**  
 21 **MICHELLE COLLEY, MELISSA**  
 22 **COLLEY AND MEGAN COLLEY,**  
 23  
 24 Defendants.  
 25  
 26 **DIANE COLLEY, MICHELLE**  
 27 **COLLEY, MELISSA COLLEY AND**  
 28 **MEGAN COLLEY,**  
 Cross-Complainants  
 vs.  
 LYNN MARTINEZ,  
 Cross-Defendant.

Case No. 2:16-cv-01845--JAD-NJK

**STIPULATION TO**  
**CONTINUE HEARING ON**  
**MOTION TO DISMISS [AND**  
**PROPOSED ORDER]**

1 Cross-Complainants DIANE COLLEY, MICHELLE COLLEY, MELISSA  
2 COLLEY and MEGAN COLLEY (“COLLEYS”), by and through their Counsel of  
3 Record, THRONE & HAUSER and Cross-Defendant LYNN MARTINEZ  
4 (“MARTINEZ”), by and through her Counsel of Record, SOLOMON DWIGGINS  
5 & FREER, LTD. (collectively “Parties”)<sup>1</sup>, hereby submit the instant Stipulation to  
6 Continue the Hearing on Motion to Dismiss currently scheduled for September 25,  
7 2017 for a period of at least 30 days each as the parties are very close to a global  
8 settlement and desire to minimize the expenditure of time and money in this case;

9 Based upon the foregoing,

10 IT IS HEREBY STIPULATED AND AGREED that the hearing on Defendant  
11 MARTINEZ’s Motion to Dismiss Cross-Complaint and the COLLEYS’ Counter-  
12 Motion to Amend Cross-Complaint currently set for September 25, 2017 at 2:30  
13 p.m. in front of the Honorable Judge Jennifer A. Dorsey be continued for a period  
14 of at least 30 days to the Court’s next available date.

15  
16 DATED this 15 day of September, 2017. DATED this 15 day of September, 2017.

17  
18 SOLOMON DWIGGINS & FREER

THRONE & HAUSER

19  
20 By: /s/ Jeffrey P. Luszeck

By: /s/ Dawn R. Throne

21 Jeffrey P. Luszeck, Esq.  
22 Bar No. 9619  
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24 9060 West Cheyenne Avenue  
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26 *Attorneys for Lynn Martinez*

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*Attorneys for Dianne Colley, Michelle  
Colley, Melissa Colley and Megan Colley*

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28 <sup>1</sup> Plaintiff NATIONWIDE LIFE INSURANCE COMPANY has been dismissed pursuant to Order dated June 1, 2017.

ORDER

IT IS HEREBY ORDERED, in accordance with the foregoing Stipulation, that the hearing on MARTINEZ's Motion to Dismiss Cross-Complaint and the COLLEYS' Counter-Motion to Amend Cross-Complaint is hereby continued to October 30, 2017 at 3:30 p.m.

DATED this 17th day of September, 2017.

  
UNITED STATES DISTRICT COURT JUDGE