

1 **Dawn R. Throne, Esq.**  
 2 Nevada Bar No. 006145  
 3 THRONE & HAUSER  
 4 1070 W. Horizon Ridge Pkwy., Suite 100  
 5 Henderson, NV 89012  
 6 Telephone: (702) 800-3580  
 7 Facsimile: (702) 800-3581  
 8 Email: dawn@thronehauser.com  
 9 *Attorney for Defendants/Cross-Complainants,*  
 10 *Diane Colley, Michelle Colley Melissa Colley & Megan Colley*

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

11 **NATIONWIDE LIFE INSURANCE**  
 12 **COMPANY,**

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

13 Plaintiff,

14 **LYNN MARTINEZ,**  
 15 **AMERICAN FUNERAL**  
 16 **FINANCIAL, LLC, DIANE COLLEY,**  
 17 **MICHELLE COLLEY, MELISSA**  
 18 **COLLEY AND MEGAN COLLEY,**

**STIPULATION TO DISMISS**  
**ALL CLAIMS WITH**  
**PREJUDICE AND ORDER**

18 Defendants.

ECF NO. 65

20 **DIANE COLLEY, MICHELLE**  
 21 **COLLEY, MELISSA COLLEY AND**  
 22 **MEGAN COLLEY,**

23 Cross-Complainants

24 vs.

25 **LYNN MARTINEZ,**

26 Cross-Defendant.

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This Stipulation is entered into by and between the Defendant, Lynn Martinez, by and through her counsel Jeffrey P. Luszek, Esq., of Solomon Dwiggin & Freer, Ltd., and Defendant's Diane Colley, Michelle Colley, Melissa Colley and Megan Colley (collectively, the "Colleys") by and through their counsel, Dawn R. Throne, Esq., of Throne & Hauser.

By stipulation of all parties, on June 1, 2017, an Order was entered dismissing all claims in this action by and against Nationwide Life Insurance Company and American Funeral Financial, LLC.

Defendant, Lynn Martinez, and Defendant Colleys, as the only remaining parties, having executed a full Settlement Agreement:

HEREBY STIPULATE AND AGREE that subsequent to the Clerk of the Court disbursing the interpleaded funds held in this matter, the matter be dismissed with prejudice.

IT IS FURTHER STIPULATED AND AGREED that each party shall be solely responsible for paying their own attorney's fees and costs.

IT IS FURTHER STIPULATED AND AGREED that the Settlement Conference scheduled for 9:30 a.m. on October 25, 2017 with Magistrate Judge Nancy J. Koppe be vacated; and


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1 IT IS FURTHER STIPULATED AND AGREED that the hearing on  
2 Defendant MARTINEZ's Motion to Dismiss Cross-Complaint and the COLLEYS'  
3 Counter-Motion to Amend Cross-Complaint currently set for October 30, 2017 at  
4 2:30 p.m. in front of the Honorable Judge Jennifer A. Dorsey be vacated.  
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6 DATED this 30 day of October, 2017. DATED this 30<sup>th</sup> day of October, 2017.  
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8 SOLOMON DWIGGINS & FREER

THRONE & HAUSER

9  
10 By:   
11 Jeffrey P. Luszeck, Esq.  
12 Bar No. 9619  
13 Cheyenne Professional Centre  
14 9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
*Attorneys for Lynn Martinez*

10 By:   
11 Dawn R. Throne, Esq.  
12 Bar No. 6145  
13 1070 W. Horizon Ridge Pkwy #100  
14 Henderson, NV 89012  
*Attorneys for Dianne Colley, Michelle  
Colley, Melissa Colley and Megan Colley*

15  
16 **ORDER**

17 IT IS SO ORDERED; this case is DISMISSED with prejudice, each side to bear its  
18 own fees and costs. The Clerk of Court is directed to vacate all hearings and  
19 deadlines and CLOSE THIS CASE.

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21 U.S. District Judge Jennifer Dorsey  
22 October 30, 2017  
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