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5 *Attorneys for Defendant*
 6 *BRANDON STUERKE*

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

9
 10 SIMON SINGER, individually, and RAO
 GARUDA, individually and as trustee of the
 11 GARUDA FAMILY ASSET PROTECTION
 TRUST,

12 Plaintiffs,

13 v.

14 BRANDON STUERKE (also known as “Leroy
 Brandon Stuerke”), an individual

15 Defendant.
 16

Case No.: 2:16-cv-02526-KJD-GWF

**FIRST AMENDMENT TO
 STIPULATION AND PROPOSED
 ORDER SETTING SETTLEMENT,
 MEDIATION AND EXTENDED
 DEADLINE TO RESPOND TO SECOND
 AMENDED PETITION**

(SIXTH REQUEST)

17 Plaintiffs and Defendant desire to extend for two weeks their prior stipulation and agree,
 18 subject to Court approval, as follows:

- 19 1. The parties are interested in the possibility of participating in the Court’s early neutral
 20 evaluation with mediation before a U.S. magistrate judge.
- 21 2. However, due to the fact that the parties do not reside in Nevada and there may be
 22 jurisdictional objections if the matter is not resolved, they request that they be permitted to exchange
 23 proposals for potential settlement prior to making a final decision to formally enter the Court’s
 24 mediation program, allowing them to better determine whether they may be able to reach a
 25 settlement through mediation before committing the additional resources to travel to participate in
 26 mediation, and that the Court clearly articulate that participating in the program will NOT waive any
 27 jurisdictional or other defenses or submit any party to the jurisdiction of the Court which is not
 28 already subject thereto.

1 3. The parties thus request a two-week extension allowing them to proceed as follows:

2 a. The parties shall notify the Court on or before **January 12, 2018**, of one of two
3 options:

4 i. They seek to formally participate in the Court's mediation program; or

5 ii. They do not seek to participate in the mediation program, and, accordingly, a
6 response to the current petition to compel arbitration shall be filed by
7 Defendant on or before **January 26, 2018**.

8 4. The parties agree, subject to the entry of an order approving this stipulation, that
9 participation by the parties in mediation to be held in Las Vegas, Nevada, shall not be considered a
10 basis for personal jurisdiction or service of process in Nevada upon any party.

11 **DATED** on this 28th day of December, 2017.

12 KAEMPFER CROWELL

13 By: /s/ Louis M. Bubala III
14 LOUIS M. BUBALA III, ESQ.
15 Counsel to Defendant

16 **DATED** on this 28th day of December, 2017.

17 PAUL PADDA LAW, PLLC

18 By: /s/ Paul S. Padda
19 PAUL S. PADDA, ESQ.
20 JOSHUA Y. ANG, ESQ.
21 Counsel to Plaintiffs

22 **ORDER**

23 IT IS SO ORDERED.

24 George Foley Jr.
25 UNITED STATES MAGISTRATE JUDGE
26 Dated: January 2, 2018
27
28