

1 **OGLETREE, DEAKINS, NASH, SMOAK, &**
2 **STEWART, PC.**

3 Molly M. Rezac, Nev. Bar No. 7435
4 50 West Liberty Street, Suite 920
5 Reno, Nevada 89501
6 Tel. (775) 440-2372
7 Fax. (775) 440-2376
8 molly.rezac@ogletreedeakins.com

9 Anthony L. Martin, Nev. Bar No. 8177
10 Dana B. Salmonson, Nev. Bar No. 11180
11 Wells Fargo Tower, Suite 1500
12 3800 Howard Hughes Parkway
13 Las Vegas, Nevada 89169
14 Tel. (702) 369-6800
15 Fax. (702) 369-6888
16 anonthy.martin@ogletreedeakins.com
17 dana.salmonson@ogletreedeakins.com

18 Patrick F. Hulla (admitted pro hac vice)
19 patrick.hulla@ogletreedeakins.com
20 4520 Main Street, Suite 400
21 Kansas City, MO 64111
22 Tel. (816) 471-1301
23 Fax. (816) 471-1303

24 Attorneys for Defendant The Venetian Casino Resort, LLC

25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 MUSTAFA YOUSIF and SHARONE WALKER)
28 on behalf of themselves and all others similarly)
29 situated,)

30 Plaintiffs,)

31 v.)

32 THE VENETIAN CASINO RESORT, LLC;)
33 LAS VEGAS SANDS, CORP and DOES 1)
34 through 50, inclusive,)

35 Defendants.)

CASE NO. 2:16-cv-02941-RFB-NJK

**STIPULATION AND [PROPOSED]
ORDER TO STAY ACTION PENDING
MEDIATION**

36 Pursuant to Local Rules (“LR”) IA 6-2 and LR 7-1, Plaintiffs MUSTAFA YOUSIF and
37 SHARONE WALKER (“Plaintiffs”), by and through their counsel of record THIERMAN BUCK,
38 LLP, and Defendant THE VENETIAN CASINO RESORT, LLC (“Defendant”), by and through its

1 counsel of record OGLETREE, DEAKINS, NASH, SMOAK, & STEWART, P.C., hereby request
2 and stipulate to stay the entire action, including but not limited to the class certification briefing and
3 hearing date, in the above captioned matter pending mediation.

4 The purpose of the Stay is to promote judicial economy and allow this court to more
5 effectively control the disposition of the cases on its docket with economy of time and effort for
6 itself, for counsel, and the litigants. See *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (U.S. 1936) (“[T]he
7 power to stay proceedings is incidental to the power inherent in every court to control the disposition
8 of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”);
9 *Pate v. DePay Orthopedics, Inc.*, 2012 WL 3532780, at * 2 (D. Nev. Aug. 14, 2012) (“A trial court
10 may, with propriety, find it is efficient for its own docket and the fairest course for the parties to
11 enter a stay of an action before it, pending resolution of independent proceedings which bear upon
12 the case.”), citing *Leyva v. Certified Grocers of Cal., Ltd.*, 593 F.2d 857, 863 (9th Cir. 1979).

13 The Parties have agreed to attend mediation and attempt resolution of all remaining claims
14 in the action. The Parties are soliciting available dates from proposed mediators at this time.
15 Pending the outcome of the Parties’ attempt to achieve a resolution of all remaining claims, the
16 Parties will provide a Status Report to the Court no later than fifteen (15) days following the
17 mediation setting forth the following dates:

18 1) Should the Parties reach a settlement, the Parties will set forth a proposed briefing
19 schedule for Settlement approval.

20 2) Should the Parties be unsuccessful at resolving all claims, the Parties shall set forth a
21 proposed briefing schedule to address (1) Plaintiffs’ Motion for a Protective Order [DKT. #134]
22 and (2) Plaintiffs’ Motion for Class Certification Under Rule 23 of the Federal Rules of Civil
23 Procedure [DKT. # 126].

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28 . . .

1 This Stipulation is made in good faith and not for the purposes of undue burden or delay.

2 **IT IS SO STIPULATED:**

3 Dated this 18th day of July 2019
4 THIERMAN BUCK, LLP
5
6 /s/ Leah L. Jones
7 Mark R. Thierman, Esq., Bar No. 8285
8 Joshua D. Buck, Esq., Bar No. 12187
9 Leah L. Jones, Esq., Bar No. .13161
10 7287 Lakeside Drive
11 Reno, Nevada 89511

12 Attorneys for Plaintiffs

Dated this 18th day of July 2019
OGLETREE, DEAKINS, NASH, SMOAK, &
STEWART, P.C.

/s/ Molly M. Rezac
Molly M. Rezac, Nev. Bar No. 7435
50 West Liberty Street, Suite 920
Reno, Nevada 89501

Anthony L. Martin, Nev. Bar No. 8177
Dana B. Salmonson, Nev. Bar No. 11180
Wells Fargo Tower, Suite 1500
3800 Howard Hughes Parkway
Las Vegas, Nevada 89169

Patrick F. Hulla (admitted pro hac vice)
4520 Main Street, Suite 400
Kansas City, MO 64111

Attorneys for Defendant

13 **ORDER**

14 **IT IS HEREBY ORDERED** that the Parties' Stipulation and Order to stay action in the
15 above captioned matter is **granted**.

16 **IT IS FURTHER ORDERED** that the Parties will submit a Joint Status Report no later
17 than 15 days following the Parties' mediation to inform the Court if the Parties have come to an
18 early resolution.

19 **IT IS SO ORDERED:**

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22 RICHARD F. BOULWARE, II
23 UNITED STATES DISTRICT JUDGE

24 DATED this 22nd day of July, 2019.