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

CHRISTOPHER HINOJOS, an individual,	Case No.: 2:17-cv-154
Plaintiff,	Stipulation and Order
vs.	
THE TJX COMPANIES, INC., a foreign corporation, d/b/a T.J. MAXX; DOES I through XXX, inclusive and ROE BUSINESS ENTITIES I through XXX, inclusive,	
Defendants.	

15 The parties stipulate to various matters, as described below.

- 16 1. The TJX Companies, Inc. (“TJX”) may file a third-party complaint against Mr. Hinojos’
 17 employer when accident described in his amended complaint happened, believed to be
 18 Forward Air.
- 19 2. Mr. Hinojos agrees to dismiss his second cause of action, with prejudice, each party to bear
 20 its own fees and costs incurred from that cause of action.
- 21 3. Mr. Hinojos’ will not designate any expert witnesses to testify concerning any standard of
 22 care TJX may have owed or how TJX may have breached that standard of care. TJX will not
 23 designate any expert witnesses to testify concerning any standard of care Mr. Hinojos may
 24 have owed or how he may have breached that standard of care. This stipulation does not
 25 affect Mr. Hinojos’ or TJX’s ability to designate expert witnesses, if needed, concerning its
 26 anticipated third-party complaint against Forward Air.
- 27 4. Mr. Hinojos is not asserting that he requires future medical treatment due to accident
 28 described in his amended complaint.

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5. Mr. Hinojos received worker's compensation as a result of the accident described in his amended complaint. The entire worker's compensation file was obtained and has been disclosed as TJX000001-873. This file contains all of Mr. Hinojos' past medical treatment due to the accident described in his amended complaint. The parties stipulate the documents in this range are genuine and authentic for purposes of admissibility at trial, but reserve any further objections each may have to parts of specific records. The parties stipulate that the medical treatment and charges contained in the worker's compensation file, TJX000001-873, are causally related and reasonably necessary due to the accident described in the amended complaint. The parties may still dispute at trial the reasonable value of the services, as permitted by NRS 616C.215(10) and interpreted in *Tri-Cty. Equip. & Leasing, LLC v. Klinke*, 128 Nev. 352, 286 P.3d 593 (2012).

6. This stipulation has no impact upon the current scheduling order.

<p>Dated this 4th day of April, 2017.</p> <p>LADAH LAW FIRM</p> <p><i>/s/ Joseph C. Chu</i></p> <hr/> <p>Joseph C. Chu, Esq. Nevada Bar No: 11082 517 S. 3rd St. Las Vegas, NV 89101 Attorneys for Christopher Hinojos</p>	<p>Dated this 4th day of April, 2017.</p> <p>WILSON ELSER MOSKOWITZ EDELMAN & DICKER, LLP</p> <p><i>/s/ Michael P. Lowry</i></p> <hr/> <p>Michael P. Lowry, Esq. Nevada Bar No: 10666 300 South Fourth Street, 11th Floor Las Vegas, NV 89101 Attorneys for The TJX Companies, Inc.</p>
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IT IS SO ORDERED.



 UNITED STATES DISTRICT COURT JUDGE

DATED this 4 day of April, 2017.

1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5, I certify that I am an employee of Wilson Elser Moskowitz Edelman
3 & Dicker LLP, and that on April 4, 2017, I served the **Stipulation and Order** as follows:

4 via electronic means by operation of the Court's electronic filing system, upon each party
5 in this case who is registered as an electronic case filing user with the Clerk:

6 Ramzy P. Ladah, Esq.
7 Ladah Law Firm
8 517 S. 3rd St.
9 Las Vegas, NV 89101
10 Tel: 702.252.0055
11 Attorneys for Plaintiff

12 BY: /s/ Michael P. Lowry
13 An Employee of Wilson Elser Moskowitz
14 Edelman & Dicker LLP
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