

THE LAW OFFICE OF VERNON NELSON
ATTORNEY AT LAW

1 VERNON A. NELSON, JR., ESQ.
 Nevada Bar No.: 6434
 2 THE LAW OFFICE OF VERNON NELSON
 9480 S. Eastern Avenue, Suite 244
 3 Las Vegas, Nevada 89123
 4 Tel.: 702-476-2500
 Fax.: 702-476-2788
 5 Email: vnelson@nelsonlawfirmnv.com
 Attorney for Christian M. Burke
 6
 7

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 CHRISTIAN M. BURKE,
 11 Plaintiff,

Case No.: 2:17-cv-00494-JAD-CWH

12 v.

**STIPULATION AND ORDER
 TO SUBSTITUTE PARTY**

13 CAPITAL ONE, N.A. aka CAPITAL ONE
 14 FINANCIAL CORPORATION, aka
 15 CAPITAL ONE SERVICES, LLC., KOHL's
 DEPARTMENT STORES, INC; EXPERIAN
 16 INFORMATION SOLUTIONS INC.; and
 EQUIFAX, INC.,

ECF No. 21

17 Defendants.
 18

19
 20 Plaintiff, CHRISTIAN M. BURKE ("Plaintiff") and Defendant, EQUIFAX, INC.
 21 ("Defendant") jointly submit this Stipulation regarding the substitution of EQUIFAX
 22 INFORMATION SERVICES LLC as Defendant in place of Defendant EQUIFAX, INC.
 23

24 WHEREAS, Plaintiff filed an action against the Defendant for alleged violations of the Fair
 25 Credit Reporting Act, 15 U.S.C. § 1681, et. seq ("FCRA"), and related state law claims on February
 26 17, 2017.

27 WHEREAS, as information became available during discovery, Plaintiff learned that
 28

1 EQUIFAX, INC, the named Defendant in this action is a holding company for EQUIFAX
2 INFORMATION SERVICES LLC, and is not a credit reporting agency subject to the FCRA.

3 WHEREAS, counsel for both parties have agreed that EQUIFAX INFORMATION
4 SERVICES, LLC. is the proper party to this litigation and should be substituted for EQUIFAX,
5 INC. as a Defendant in the above-captioned matter so that all claims made against EQUIFAX, INC.
6 are now made against EQUIFAX INFORMATION SERVICES LLC.
7

8 WHEREAS, the Plaintiff will amend their complaint to reflect EQUIFAX INFORMATION
9 SERVICES LLC as a Defendant in place of EQUIFAX, INC. in the above-referenced caption.
10 Defendant does not oppose to the Plaintiff amending their complaint.

11 WHEREAS, by this joint request, the parties move, subject to the approval of the Court, to
12 dismiss EQUIFAX, INC. from this action and remove EQUIFAX, INC. from the case caption and
13 replace with EQUIFAX INFORMATION SERVICES LLC.
14

15 WHEREAS EQUIFAX INFORMATION SERVICES LLC expressly reserves all defenses,
16 including any statute of limitations defenses.

17 THEREFORE, IT IS HEREBY STIPULATED, by and between the parties to this action
18 that:

- 19 1. EQUIFAX, INC., shall be dismissed from this case, without prejudice;
- 20 2. The caption in this proceeding shall be amended to remove EQUIFAX, INC. as a
21 defendant and shall be replaced by EQUIFAX INFORMATION SERVICES LLC. as a Defendant;

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28

1 3. EQUIFAX INFORMATION SERVICES LLC expressly reserves all defenses,
2 including any statute of limitations defenses.

3 DATED this 22nd day of May, 2017

DATED this 22nd day of May, 2017

4 THE LAW OFFICE OF VERNON NELSON

SNELL & WILMER, LLP

5 /s/ Vernon A. Nelson

 /s/ Bradley T. Austin

6 VERNON NELSON, ESQ.

Bradley T. Austin, Esq.

7 Nevada Bar No.: 6434

Nevada State Bar No. 13064

8 9480 S. Eastern Avenue, Suite 244

Snell & Wilmer, LLP

9 Las Vegas, NV 89123

3883 Howard Hughes Pkwy,

10 Tel: 702-476-2500

Suite 1100 Las Vegas, NV 89169

11 Fax: 702-476-2788

Tel: 702-784-5200

12 E-Mail: vnelson@nelsonlawfirmnv.com

Fax: 702-784-5252

13 Attorney for Plaintiff Christian M. Burke

Email: baustin@swlaw.com

Attorneys for Equifax Information Services LLC

14 Dated this 22nd day of May, 2017.

Dated this 22nd day of May, 2017.

15 SNELL & WILMER L.L.P.

BALLARD SPAHR LLP

16 /s/ Bob L. Olson

 /s/ Kyle Ewing

17 Bob L. Olson, Esq.

Joel Tasca, Esq.

18 Nevada Bar No.: 3783

Nevada Bar No.: 14124

19 Charles E. Gianelloni, Esq.

Kyle Ewing, Esq.

20 Nevada Bar No.: 12747

Nevada Bar No.: 14051

21 V.R. Bohman, Esq.

100 North City Parkway, Suite 1750

22 Nevada Bar No.: 13075

Las Vegas, NV 89106-4617

23 3883 Howard Hughes Parkway, Suite 1100

Phone: 702.471-7000

24 Las Vegas, NV 89169

Facsimile: 702-471-7070

25 Telephone: (702) 784-5200

Email: tasca@ballardspahr.com

26 Facsimile: (702) 784-5252

ewingk@ballardspahr.com

27 Email: bolson@swlaw.com

Attorneys for Defendants Capital One, N.A. and
Kohl's Department Stores, Inc.

28 cgianelloni@swlaw.com

vbohman@swlaw.com

Attorneys for Experian Information Solutions,
Inc.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: 6-1-17

CASE NO: 2:17-cv-00494-JAD-CWH