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Company

13
14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 PERFORMANCE RHINO LLC dba GUN
GARAGE/GAG,

17
18 Plaintiff,

19 v.

20 GRANITE STATE INSURANCE COMPANY,
a New York corporation; LOCKTON
21 AFFINITY LLC, a Missouri limited liability
company; BRENT RYAN, an individual and as
22 Account Manager for LOCKTON AFFINITY,
LLC; DOES I through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

23
24 Defendants.

Case No.: 2:17-cv-00803-APG-PAL

**STIPULATION FOR ENTRY OF
CLAWBACK ORDER PURSUANT TO
FEDERAL RULE OF EVIDENCE 502
AND CLAWBACK ORDER**

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26 Plaintiff Performance Rhino LLC dba Gun Garage and defendants Granite State
27 Insurance Company, Lockton Affinity Series of Lockton Affinity LLC and Brent Ryan stipulate
28 and request pursuant to Federal Rule of Evidence 502 that the Court enter the proposed order

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appearing below. This request is made to protect against inadvertent waiver of applicable privileges as authorized by Rule 502, and in particular subsection (d) of that rule.

DATED: April 24, 2017

BULLIVANT HOUSER BAILEY PC

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Attorneys for Defendant Granite State Insurance Company

DATED: April 24, 2017

MARQUIS AURBACH COFFING

By /s/ Jared M. Moser* (By E-Mail Auth. ABD)
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Attorneys for Plaintiff Performance Rhino LLC
dba Gun Garage

1 DATED: April 24, 2017

2 LEWIS BRISBOIS BISGAARD & SMITH

3
4 By /s/ Marc S. Cwik* (By e-mail auth. ABD)

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11 Attorneys for Defendants Lockton Affinity Series
12 of Lockton Affinity LLC and Brent Ryan

13 **CLAWBACK ORDER PURSUANT TO F.R.E. 502**

14 Federal Rule of Evidence 502(d) authorizes the court to enter an order providing that
15 any applicable privilege or protection is not waived by disclosure connected with the litigation
16 pending before the court. The parties having stipulated, and good cause appearing,

17 IT IS HEREBY ORDERED, pursuant to Federal Rule of Evidence 502, that

18 1. The disclosure, in oral or written form, of any information which would
19 otherwise be protected by Federal Rule of Evidence 501, Federal Rule of Evidence 502, or the
20 provisions of Chapter 49 of the Nevada Revised Statutes, shall not operate as a waiver of the
21 applicable privilege or the work-product protection.

22 2. Pursuant to Federal Rule of Evidence 502(d), any disclosure protected by this
23 Order also is not a waiver of the applicable privileges or work-product protection in any other
24 Federal or State proceeding.

25 3. Should counsel for either party receive a document which he or she reasonably
26 believes contains material protected by a privilege under Federal Rule of Evidence 501, Federal
27 Rule of Evidence 502 or Chapter 49 of the Nevada Revised Statutes, counsel shall immediately
28 notify counsel for the holder of the privilege and shall return all copies of the document upon

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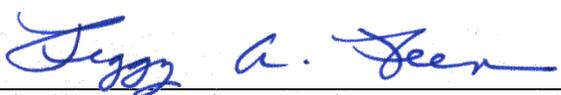
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request, without waiving the receiving party's right to seek an order from the court that the document(s) in question are not privileged.

IT IS SO ORDERED.

DATED: June 21, 2017


United States Magistrate Judge

4827-2505-2230.1
