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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL CUTTS,

Plaintiff,

v.

RICHLAND HOLDINGS, INC. d/b/a
ACCTCORP OF SOUTHERN NEVADA, a
Nevada Corporation; CALEB J.
LANGSDALE, ESQ. dba The LANGSDALE
LAW FIRM, P.C.; and CLIFFORD MOLIN,
M.D. a/k/a Zeeba Sleep Center

Defendants.

Case No. 2:17-cv-01525-JCM-PAL

**DEFENDANT THE LANGSDALE LAW
FIRM, P.C.'S STATUS REPORT
REGARDING SETTLEMENT**

Defendant The Langsdale Law Firm, P.C. ("Langsdale"), by and through its attorneys of record, hereby submit its Status Report Regarding Settlement.¹

1. On February 27, 2018, the Court dismissed Cutts's claims against Langdale (and the other defendants) with prejudice. ECF No. 30. That same day, the Court entered judgment in Langsdale's favor. ECF No. 31. On March 6, 2018, Cutts appealed the Court's order and judgment to the United States Court of Appeals for the Ninth Circuit. ECF No. 33.

2. On June 6, 2018, Cutts filed his opening brief in *Cutts v. Richland Holdings, Inc.*, Docket No. 18-15377. Subsequently, on June 22, 2018, Langsdale and Cutts (the "Settling

¹ Langsdale is submitting this status report individually because scheduling conflicts with counsel for Plaintiff Michael Cutts and Langsdale's counsel have prevented a joint report.

1 Parties") reached agreement on principal terms to resolve this action. On June 29 2018, the
2 Settling Parties notified the Court that they had reached an agreement to settle all claims, while
3 anticipating sixty days were needed to draft and execute a settlement agreement, in addition to
4 performance of the Settling Parties' respective obligations. ECF No. 54. On July 5, 2018, the
5 Court ordered the Settling Parties to file a stipulation to dismiss by August 29, 2018, or to submit
6 a joint status report advising when a stipulation to dismiss will be filed. ECF No. 35.

7 3. During the drafting of the settlement agreement, the Settling Parties encountered
8 unexpected issues in resolving certain terms and conditions. As a result, the Settling Parties
9 experienced a delay in finalizing a written settlement agreement to reflect each person's
10 understanding. Finally, on August 29, 2018, after numerous telephonic discussions and written
11 correspondences, the Settling Parties agreed to all terms and conditions and have finalized a
12 written settlement agreement.

13 4. To effectuate settlement, Langsdale has requested the Ninth Circuit for a 59-day
14 extension to file its answering brief in *Cutts v. Richland Holdings, Inc.*, Docket No. 18-15377.
15 This will allow performance of the Settling Parties' respective obligations. The 59-day extension
16 will set the deadline for Langsdale to file its answering brief to November 2, 2018, should it
17 become necessary for some unforeseen reason.

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1 As a result, Langsdale requests the Court to extend the deadline to file a Stipulation for
2 Dismissal or further Joint Status Report until November 2, 2018.

3 Dated: August 30, 2018

4 ROPERS, MAJESKI, KOHN & BENTLEY

5 By: /s/ Timothy J. Lepore

6 STEPHEN J. ERIGERO
7 TIMOTHY J. LEPORE
8 Attorneys for Defendant
9 THE LANGSDALE LAW FIRM, P.C.

10 **IT IS SO ORDERED** this 11th day of
11 September, 2018.

12 

13 Peggy A. Leen
14 United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of August, 2018, I served a true and correct copy of the foregoing **DEFENDANT THE LANGSDALE LAW FIRM, P.C.'S STATUS REPORT REGARDING SETTLEMENT** via the Court's CM/ECF electronic filing and service system to all parties on the current service list.

/s/ Peggy Kurilla