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3 National Labor Relations Board, Region 28
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17 Attorneys for the Petitioner

18 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 CORNELE A. OVERSTREET, Regional
21 Director of the Twenty-Eighth Region of the
22 National Labor Relations Board, for and on
23 behalf of the National Labor Relations
24 Board,

25 Petitioner,

26 v.

27 FLAMINGO CERP MANAGER, LLC on
28 behalf of FLAMINGO LAS VEGAS
29 OPERATING COMPANY, LLC d/b/a
30 FLAMINGO LAS VEGAS,

31 Respondent.

32 Case No. 2:17-cv-01814-APG-GWF

33 **STIPULATION AND
34 ORDER TO DISMISS WITHOUT
35 PREJUDICE**

36 WHEREAS, on June 30, 2017, Petitioner filed an application for enforcement of a
37 subpoena issued by a federal administrative agency;

1 WHEREAS, on July 10, 2017, Respondent provided Petitioner with documents that
2 Respondent represented are responsive to the subpoena; and

3 WHEREAS, Petitioner has reviewed the documents submitted by Respondent and
4 determined that the documents are responsive to the subpoena, thus obviating the need to pursue
5 these subpoena enforcement proceedings further.

6 NOW THEREFORE, based upon the foregoing, Petitioner and Respondent, by and
7 through their respective counsel, enter into this stipulation of dismissal without prejudice.

8 Dated: August 10, 2017

9 Dated: August 10, 2017

10 /s/ Elise F. Oviedo

11 Elise F. Oviedo, Esq.
12 Nathan A. Higley, Esq.
13 National Labor Relations Board
14 Counsel for Petitioner

15 /s/ Michael R. Hogue

16 Michael R. Hogue, Esq.
17 Associate
18 Greenberg Traurig, LLP
19 Counsel for Respondent

ORDER

20 **IT IS HEREBY ORDERED** that Petitioner's Application for Order to Show Cause
21 Requiring Compliance with Subpoena Duces Tecum Pursuant to Section 11(2) of the National
22 Labor Relations Act, as amended (29 U.S.C. § 161(2)), and all further proceedings in this matter
23 are dismissed without prejudice.

24 Dated: August 11, 2017



25 UNITED STATES DISTRICT COURT JUDGE