

**KEATING LAW GROUP**  
9130 W. RUSSELL RD., SUITE 200  
LAS VEGAS, NEVADA 89148

1 JOHN T. KEATING  
Nevada Bar No. 6373  
2 COLIN P. CAVANAUGH  
Nevada Bar No. 13842  
3 **KEATING** LAW GROUP  
9130 W. Russell Road, Suite 200  
4 Las Vegas, Nevada 89148  
[jkeating@keatinglg.com](mailto:jkeating@keatinglg.com)  
5 [ccavanaugh@keatinglg.com](mailto:ccavanaugh@keatinglg.com)  
6 (702) 228-6800 phone  
7 (702) 228-0443 facsimile  
8 Attorneys for Defendant  
*Metropolitan Group Property  
and Casualty Insurance Company*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 BENJIE SANCHEZ,  
12 Plaintiff,

13 vs.

14 METROPOLITAN GROUP PROPERTY AND  
15 CASUALTY INSURANCE COMPANY; DOES I  
16 through X; and ROE CORPORATIONS XI  
17 through XX,  
18 Defendants.

CASE NO.: 2:17-cv-01945-RFB-PAL

**STIPULATION AND ORDER TO REMAND TO  
STATE COURT**

19 IT IS HEREBY STIPULATED by and between Plaintiff BENJIE SANCHEZ and Defendant  
20 METROPOLITAN GROUP PROPERTY AND CASUALTY INSURANCE COMPANY by and through  
21 their respective counsel, that this matter shall be remanded back to State Court, on the following  
22 terms:

23 1. This action was originally filed in state court, namely the Eighth Judicial District  
24 Court of Clark County, Nevada, Case No. A-17-757557-C, and Defendant removed it to Federal  
25 Court on or about July 17, 2017, on the basis of diversity jurisdiction.

26 2. On or about July 28, 2017, Defendant filed a Motion to Dismiss Plaintiff's Second,  
27 Third and Fourth Causes of Action, respectively for Breach of Covenant of Good Faith/Insurance  
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1 Bad Faith, Violation of Unfair Claims Practices Act, and Negligent and/or Intentional  
2 Misrepresentation.

3 3. On or about August 11, 2017, Plaintiff filed a First Amended Complaint. The First  
4 Amended Complaint alleges only a single cause of action for Breach of Contract and no longer  
5 contains the three above-referenced causes of action at issue in Defendant's Motion to Dismiss.  
6 The First Amended Complaint also alleges that the amount in controversy is not greater than  
7 \$50,000, exclusive of attorney's fees, interest and court costs.

8 **WHEREFOR**, the parties hereby stipulate that this matter shall be remanded back to state  
9 court in the Eighth Judicial District Court of Clark County, Nevada, Case No. A-17-757557-C, to  
10 proceed through Nevada's arbitration program under NRS 38.250, et seq.

11 DATED this 15th day of August, 2017.

DATED this 15th day of August, 2017.

12 **KEATING LAW GROUP**

**HENNESS & HAIGHT**

13 By: /s/COLIN P. CAVANAUGH  
14 COLIN P. CAVANAUGH  
15 Nevada Bar No.: 13842  
16 9130 W. Russell Road, Ste. 200  
17 Las Vegas NV 89148  
18 Attorney for Defendant  
19 *Metropolitan Group Property and  
Casualty Insurance Company*

By: /s/SHAUN M. ROSE  
Shaun M. Rose, Esq.  
Nevada Bar No. 13945  
8972 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
Attorneys for Plaintiff  
*Benjie Sanchez*

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27 (Order on following page.)  
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ORDER

1  
2 IT IS HEREBY ORDERED, pursuant to the stipulation of the parties, that this matter shall  
3 be remanded back to state court in the Eighth Judicial District Court of Clark County, Nevada,  
4 Case No. A-17-757557-C, to proceed through Nevada's arbitration program under NRS 38.250,  
5 et seq.

6 All matters and deadlines currently set in this federal action are taken off calendar.

7 DATED this 16th day of August, 2017.

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11 RICHARD F. BOULWARE, II  
12 United States District Judge

13 Respectfully Submitted by:

14 **KEATING** LAW GROUP

15 /s/COLIN P. CAVANAUGH  
16 COLIN P. CAVANAUGH  
17 Nevada Bar No.: 13842  
18 9130 W. Russell Road, Ste. 200  
19 Las Vegas NV 89148  
20 Attorneys for Defendant  
21 *Metropolitan Group Property and*  
22 *Casualty Insurance Company*  
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27  
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