

1 Jack P. Burden, Esq.
 Nevada State Bar No. 6918
 2 Xiao Wen Jin, Esq.
 Nevada State Bar No. 13901
 3 **BACKUS, CARRANZA & BURDEN**
 4 3050 South Durango Drive
 Las Vegas, NV 89117
 5 T: (702) 872-5555
 6 F: (702) 872-5545
 7 jburden@backuslaw.com
shirleyjin@backuslaw.com
 Attorneys for Defendant *Albertson's LLC*

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 9 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

10 JACKIE WESTENBERGER,
 11
 Plaintiff,

Case No. **2:17-cv-02661-JAD-BNW**

12 vs.

[PROPOSED] ORDER

13
 14 ALBERTSONS LLC, a Foreign Limited
 Liability Company; DOES I through X; and
 15 ROE CORPORATIONS I through X,
 16 Defendants.

(Motion for Rule 37 Sanctions – ECF No. 43)

17 Before the Court is Defendant Albertson's LLC's Motion for Rule 37 Sanctions (ECF
 18 No. 43) (the "Motion"). Subsequent to filing the Motion, the Parties reached an agreement that
 19 Plaintiff will not be claiming lost wages, diminished earning capacity, or future medical
 20 damages. As such, the Motion is unopposed. Accordingly,

21 **IT IS ORDERED** the Motion is GRANTED, and Plaintiff is precluded from introducing
 22 evidence of any lost wages, diminished earning capacity, or future medical damages in motion
 23 practice, hearing or trial.

24 DATED October 4, 2019

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26
 27 BREND A WEKSLER
 UNITED STATES MAGISTRATE JUDGE