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7 Attorneys for Plaintiff  
 8 **BRIAN DALEY**

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

11 **BRIAN DALEY**, an individual,  
 12 Plaintiff,

Case No.: 2:18-cv-00335-GMN-NJK

**STIPULATION AND ORDER FOR DISMISSAL  
 WITH PREJUDICE**

13 **vs.**

14  
 15 **NEWMONT USA LIMITED d/b/a NEWMONT**  
 16 **MINING**, a foreign corporation; **DOES I** thru **V**,  
 inclusive; **ROE CORPORATIONS I** thru **V**,  
 17 inclusive,

18 Defendant.

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19 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Brian Daley and  
 20 Defendant Newmont USA Limited, d/b/a Newmont Mining, by and through their respective  
 21 attorneys of record, that Plaintiff's claims in this matter against the Defendant be dismissed,  
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1 with prejudice, with each of the parties to pay their own attorney fees and costs herein incurred.

2 Dated: August 28, 2018.

3  
4 REMPFER MOTT LUNDY, PLLC

LITTLER MENDELSON, P.C.

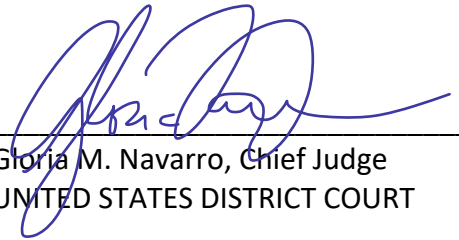
5 /s/ Joseph N. Mott  
6 Joseph N. Mott  
7 Nevada Bar No. 12455  
8 Scott E. Lundy  
9 Nevada Bar No. 14235  
10 Attorneys for Plaintiff  
11 **BRIAN DALEY**

/s/ Stephen E. Baumann II  
12 Marcus B. Smith  
13 Nevada Bar No. 12098  
14 Stephen E. Baumann II  
15 Appearing *Pro Hac Vice*  
16 Attorneys for Defendant  
17 **NEWMONT USA LIMITED**  
18 **dba NEWMONT MINING**

19 **ORDER**

20 **IT IS SO ORDERED.**

21 Dated this 11 day of September 2018.

22   
23 \_\_\_\_\_  
24 Gloria M. Navarro, Chief Judge  
25 UNITED STATES DISTRICT COURT