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6 Attorneys for Defendants Aria Resort & Casino, LLC,
 7 MGM Resorts International, Bellagio, LLC, and
 MGM Resorts Design and Development

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 THE BOARD OF TRUSTEES OF THE
 11 CONSTRUCTION INDUSTRY AND
 LABORERS HEALTH AND WELFARE
 12 TRUST; THE BOARD OF TRUSTEES OF
 THE CONSTRUCTION INDUSTRY AND
 LABORERS JOINT PENSION TRUST;
 13 THE BOARD OF TRUSTEES OF THE
 CONSTRUCTION INDUSTRY AND
 LABORERS VACATION TRUST; THE
 14 BOARD OF TRUSTEES OF SOUTHERN
 NEVADA LABORERS LOCAL 872
 15 TRAINING TRUST,

16 Plaintiffs,

17 v.

18 ALSTON CONSTRUCTION COMPANY,
 19 INC., a California corporation; KIEWIT
 INFRASTRUCTURE WEST CO., a
 20 Delaware corporation; ARIA RESORT &
 CASINO, LLC, a Nevada limited liability
 21 company; MGM RESORTS
 INTERNATIONAL, a Nevada corporation;
 22 BELLAGIO, LLC, a Nevada limited liability
 company; and KENNETH M. MERCURIO,
 23 an individual,

24 Defendants.

2:18-cv-00416-APG-GWF

**STIPULATION AND ORDER TO
 DISMISS ARIA RESORT & CASINO,
 LLC, MGM RESORTS
 INTERNATIONAL, AND BELLAGIO,
 LLC, AND ADD MGM RESORTS
 DESIGN AND DEVELOPMENT AS
 THE REAL PARTY IN INTEREST**

25 Pursuant to the provisions of Federal Rule of Civil Procedure 17 and 41, Plaintiffs, The Board
 26 of Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of
 27 Trustees of the Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of

1 the Construction Industry and Laborers Vacation Trust; The Board of Trustees of Southern Nevada
2 Laborers Local 872 Training Trust (collectively “Plaintiffs”), and Defendants, Aria Resort &
3 Casino, LLC, MGM Resorts International, and Bellagio, LLC (“Defendants”), by and through their
4 respective attorneys, hereby stipulate and agree as follows:

5 WHEREAS, Defendants shall be dismissed from this action, without prejudice;

6 WHEREAS, MGM Resorts Design and Development “(MRDD)” is the real party in
7 interest in this litigation and Plaintiffs’ allegations against Defendants are against MRDD;

8 WHEREAS, MRDD shall be substituted in place and stead of Defendants and added as a
9 party defendant; and

10 WHEREAS, MRDD shall file its answer to Plaintiffs’ Complaint within five (5) days of
11 the Court’s approval of this stipulation.

12 DATED this 7th day of June, 2018.

DATED this 7th day of June, 2018.

13 **GREENE INFUSO, LLP**

THE URBAN LAW FIRM

14
15 /s/ Michael V. Infuso
16 Michael V. Infuso, Esq.
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19 Attorneys for Defendants

Attorneys for Plaintiffs

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22 IT IS SO ORDERED:

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25 
UNITED STATES DISTRICT JUDGE

26 Dated: June 7, 2018.
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