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2 **WOODBURY LAW**
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5 *Attorneys for Defendants*
Clyde and Geneva Perkins Trust R-501,
6 *Kathryn Ann Davis, and The*
Gary D. Stewart and Debra J. Stewart
7 *Revocable Living Trust*

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

10
11 FC Real Estate 3, LLC, an Arizona limited
12 liability company,

13 Plaintiff,

14 vs.

15 Clyde K. Perkins and Geneva M. Perkins, as
Trustees of the Clyde and Geneva Perkins
16 Trust R-501; Jonathan A. Hendricks, as
Trustee of the John A. Hendricks 1983
17 Living Trust; Kathryn Ann Davis; Julia
Marie Hutchings; Gary D. Stewart and Debra
18 J. Stewart, as Trustees of The Gary D.
Stewart and Debra J. Stewart Living Trust,
19 dated the 29th day of October, 1997; United
States Department of the Treasury-Internal
20 Revenue Service; and DOES I through X,
inclusive,

21 Defendants.

Case No. 2:18-cv-01018-RFB-NJK

**STIPULATION AND
ORDER ALLOWING
WOODBURY LAW, LTD.
TO WITHDRAW ITS
MOTION TO WITHDRAW AS
ATTORNEYS OF RECORD
AND VACATING THE
HEARING ON THE SAME**

22
23 Plaintiff FC Real Estate 3, LLC (the "Plaintiff"), Defendant United States Department
24 of the Treasury-Internal Revenue Service ("IRS"), and Defendants The Clyde and Geneva
25 Perkins Trust R-501, Kathryn Ann Davis and The Gary D. Stewart and Debra J. Stewart
26 Revocable Living Trust dated the 29th day of October, 1997 (collectively, the "Perkins
27 Defendants"), by and through their undersigned counsel, and together with Woodbury Law,
28 Ltd., hereby stipulate and agree to allow Woodbury Law, Ltd. to withdraw its Motion to

1 Withdraw as Attorneys of Record for the Perkins Defendants (Docket No. 44) (the “Motion”)
2 and to vacate the hearing on the Motion currently scheduled by the Court for February 19, 2019
3 at 11:00 a.m. in Courtroom 3A (see Docket No. 45).

4 Since the filing of the Motion and its service on the Perkins Defendants, the Perkins
5 Defendants have re-established communication with Woodbury Law, withdrawn their request
6 to terminate Woodbury Law, Ltd.’s services, and executed and delivered the pending settlement
7 and release agreement by and among the parties to this action

8 Accordingly, Plaintiff, the IRS, the Perkins Defendants, and Woodbury Law, Ltd.
9 respectfully request that the Court accept Woodbury Law’s withdrawal of its Motion and that the
10 scheduled February 19, 2019 hearing on the Motion be vacated.

11 **IT IS SO STIPULATED.**

12
13 Dated: February 14, 2019

14 **FENNEMORE CRAIG, P.C.**

15
16 /s/ *Brenoch Wirthlin*

17 _____
18 Brenoch Wirthlin, Esq.
19 Nevada Bar No. 10282
20 300 South Fourth Street, #1400
21 Las Vegas, Nevada 89101
22 *Attorneys for Plaintiff*

Dated: February 14, 2019

14 **DAYLE ELIESON**
15 **United States Attorney**

16 /s/ *Troy Flake*

17 _____
18 Troy Flake, Esq.
19 Assistant United States Attorney
20 501 Las Vegas Blvd. S., Suite 1100
21 Las Vegas, NV 89101
22 *Attorneys for Defendant United States*
23 *Department of the Treasury–*
24 *Internal Revenue Service*

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Dated: February 14, 2019

WOODBURY LAW, LTD.

/s/ Rodney S. Woodbury

Rodney S. Woodbury, Esq.
Nevada Bar No. 7216
50 S. Stephanie St., Suite 201
Henderson, Nevada 89012
*For itself and as
Attorneys for Defendants
Clyde and Geneva Perkins Trust R-501,
Kathryn Ann Davis, and The
Gary D. Stewart and Debra J. Stewart
Revocable Living Trust*

IT IS SO ORDERED.

Dated: February 15, 2019.



United States Magistrate Judge