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 6 Attorneys for Defendant Mercury Casualty Company

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

10 SONDRA ELLIS, an individual,  
 11 Plaintiff,  
 12 vs.  
 13 MERCURY CASUALTY COMPANY, a foreign  
 business entity; DOES I through XX, inclusive; and  
 14 ROE CORPORATIONS I through XX, inclusive,  
 15 Defendants.

Case No. 2:18-cv-01021-GMN-CWH  
**STIPUALTION AND ORDER FOR  
 REMAND TO STATE COURT**

17 Plaintiff, SONDRA ELLIS, by and through her undersigned counsel of record, Steven Baker,  
 18 Esq., of the law firm of Bertoldo Baker Carter & Smith, and Defendant MERCURY CASUALTY  
 19 COMPANY, by and through its undersigned counsel of record, John H. Podesta, Esq., and  
 20 Christopher D. Phipps, Esq., of the law firm Wilson Elser Moskowitz Edelman & Dicker, LLP,  
 21 hereby stipulate and agree as follows:

22 WHEREAS Plaintiff was involved in a March 25, 2015, motor vehicle accident, which has  
 23 led to the filing of the Complaint in the instant action;

24 WHEREAS Plaintiff was involved in a subsequent motor vehicle accident, for which  
 25 Defendant is still in the process of adjusting Plaintiff's claim and for which no action has been filed  
 26 or is pending in any court;

27 *////*

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1 WHEREAS the instant action had been removed to the United States District Court based  
2 upon diversity jurisdiction pursuant to 28 U.S.C. section 1441(a), et seq.;

3 IT IS HEREBY STIPULATED AND AGREED THAT the Plaintiff's claims arising out of  
4 the Complaint on file herein pertaining to the March 25, 2015, motor vehicle collision will not  
5 exceed \$75,000.00 (Seventy-Five Thousand Dollars), and that Plaintiff agrees to limit recovery to  
6 that amount;

7 IT IS HEREBY FURTHER STIPULATED AND AGREED THAT the instant action be  
8 remanded back to the Eighth Judicial District Court in and for Clark County, State of Nevada, for  
9 all further proceedings; and

10 IT IS HEREBY FURTHER STIPULATED AND AGREED THAT in the event an action is  
11 ultimately filed with respect to the subsequent motor vehicle accident, each side reserves all rights  
12 and defenses relative to the subsequent motor vehicle accident, including the right to seek removal  
13 and consolidation of the cases involving uninsured motorist benefits under defendant's policy for  
14 the two motor vehicle accidents.

15 Respectfully Submitted,

16 DATED this 31<sup>st</sup> day of December, 2018

DATED this 31<sup>st</sup> day of December, 2018

17 WILSON ELSER MOSKOWITZ  
18 EDELMAN & DICKER LLP

BERTOLDO BAKER CARTER & SMITH

19 /s/ Christopher D. Phipps  
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23 *Attorneys for Defendant Mercury Casualty  
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/s/ Steven Baker, Esq.  
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26 Henderson, NV 89052  
27 *Attorneys for Defendant Mercury Casualty  
Company*

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**ORDER**

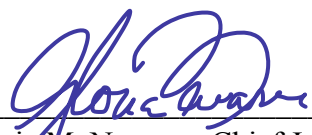
The Court having consider the Stipulation of the parties and for good cause there appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED the Plaintiff's claims arising out of the Complaint on file herein pertaining to the March 25, 2015, motor vehicle collision may not exceed \$75,000.00 (Seventy-Five Thousand Dollars);

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED, that the instant action is matter be remanded to the Eighth Judicial District Court in and for Clark County, State of Nevada, for all further proceedings; and

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that should an action be filed by Plaintiff related to the subsequent motor vehicle accident, both parties have reserved all rights and defenses relative to the subsequent motor vehicle accident, including the right to seek removal and consolidation of the cases involving the two motor vehicle accidents

DATED this 2 day of January, 2019.

  
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Gloria M. Navarro, Chief Judge  
United States District Court