

1 **WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**
 2 Don Springmeyer
 3 Nevada Bar No. 1021
 4 Bradley S. Schrager
 5 Nevada Bar No. 10217
 6 3556 E. Russell Road, Second Floor
 7 Las Vegas, Nevada 89120
 8 (702) 341-5200/Fax: (702) 341-5300
 9 dspringmeyer@wrslawyers.com
 10 bschrager@wrslawyers.com
 11 *Counsel for Plaintiffs*

7 **JACKSON LEWIS P.C.**
 8 Elayna J. Youchah
 9 Nevada Bar No. 5837
 10 Deverie J. Christensen
 11 Nevada Bar No. 6596
 12 3800 Howard Hughes Parkway, Suite 600
 13 Las Vegas, Nevada 89169
 14 (702) 921-2460/Fax: (702) 921-2461
 15 Elayna.Youchah@jacksonlewis.com
 16 *Counsel for Defendant*
 17 *Southwest Gas Corporation*

14 **UNITED STATES DISTRICT COURT**
 15 **DISTRICT OF NEVADA**

16 **EBONY HOWARD**, individually, and on
 17 behalf of all others similarly situated,

18 Plaintiff,

19 vs.

20 **SOUTHWEST GAS CORPORATION,**

21 Defendant.

Case No: 2:18-cv-01035-JAD-VCF

STIPULATION AND ORDER TO:

- 22 (1) **STAY THE PROCEEDING**
- 23 (2) **EXTEND DEFENDANT'S**
- 24 **DEADLINE TO ANSWER**
- 25 **COMPLAINT;**
- 26 **AND**
- 27 (3) **TOLL FLSA LIMITATIONS**
- 28 **PERIOD**

Complaint Filed: June 7, 2018

24 **RECITALS**

25 On June 7, 2018, Plaintiff EBONY HOWARD (“Plaintiff”) filed a putative class and
 26 collective action complaint in the United States District Court, District of Nevada (the
 27 “Complaint”). The Complaint names SOUTHWEST GAS CORPORATION (“Defendant” or
 28

1 “SGC”) as the sole Defendant and asserts the following three causes of action: (1) Failure to Pay
2 Overtime in Violation of the Fair Labor Standards Act (“FLSA”); (2) Failure to Pay For Each
3 Hour Worked pursuant to Nev. Rev. Stat. Ann. § 608.016; and (3) Failure to Pay Overtime in
4 Violation pursuant to Nev. Rev. Stat. Ann. § 608.018 (the “Complaint”).

5 Defendant was served with summons on June 8, 2018. Pursuant to the Federal Rules of
6 Civil Procedure and Nevada Local Rules, SGC’s deadline to file a responsive pleading is June
7 29, 2018.

8 The parties have agreed, subject to the Court’s approval, to stay the proceedings for thirty
9 (30) days to allow for the exchange of information and documents bearing on the claims and
10 defenses at issue herein to avoid potentially unnecessary motion practice and further expenditure
11 of resources.

12 The parties have further agreed to and executed a separate “Tolling Agreement” which
13 tolls the statute of limitations for putative collective and class action members for thirty (30)
14 days.

15 **STIPULATION**

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
17 Plaintiffs and Defendant, through their respective undersigned counsel of record, as follows:

- 18 (1) This action is stayed in its entirety until thirty (30) days from the date of this Order;
19 (2) Defendant’s deadline to answer Plaintiffs’ Complaint is extended to seven (7) days
20 following the expiration of the stay; and
21 (3) The limitations period for the claims under the FLSA of putative collective and class
22 action members who have not already filed consents to join the Litigation shall be
23 tolled for thirty (30) days, such that any consent form filed in this action shall be
24 deemed to have been filed on the later of (a) thirty (30) days prior to the date on
25 which it is actually filed, or (b) the date of the parties’ Tolling Agreement.

1 IT IS SO STIPULATED.

2
3 **DATED: June 22, 2018**

PLAINTIFFS' ATTORNEYS
WOLF, RIFKIN, SHAPIRO, SCHULMAN
& RABKIN, LLP

4
5 By: /s/ Don Springmeyer, Esq.
6 *On behalf of Plaintiffs and Plaintiffs' Attorneys*

7
8 **DATED: June 22, 2018**


DEFENDANT'S ATTORNEYS
JACKSON LEWIS P.C.

9 By: /s/ Deverie J. Christensen, Esq.
10 *On behalf of Defendant and Defendant's*
11 *Attorneys*

12 **ORDER**

13 IT IS HEREBY ORDERED, this 29th day of June, 2018:

- 14
- 15 1. This action is stayed in its entirety until thirty (30) days from the date of this Order;
 - 16 2. Defendant's deadline to answer Plaintiffs' Complaint is extended to seven (7) days
17 following the expiration of the stay; and
 - 18 3. The limitations period for the claims under the FLSA of putative collective and class
19 action members who have not already filed consents to join the Litigation shall be
20 tolled for thirty (30) days, such that any consent form filed in this action shall be
21 deemed to have been filed on the later of (a) thirty (30) days prior to the date on
22 which it is actually filed, or (b) the date of the parties' Tolling Agreement.

23
24 
United States District Judge