

1 CHRISTOPHER CHIOU
 Acting United States Attorney
 District of Nevada
 Nevada Bar No. 14853

3 PATRICK A. ROSE
 Assistant United States Attorney
 Nevada Bar No. 5109

5 LINDSAY A. AGER
 Assistant United States Attorney
 Nevada Bar No. 11985
 501 Las Vegas Boulevard, South, Suite 1100
 Las Vegas, Nevada 89101
 702-388-6336
 Patrick.Rose@usdoj.gov
 Lindsay.Ager@usdoj.gov
 Attorneys for the United States

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

12 Anna Jones,
 13
 14 Plaintiff,
 15
 16 v.
 17 United States of America; Thyssenkrupp
 Elevator Corporation, a Delaware
 Corporation; Thyssenkrupp Elevator
 Manufacturing, Inc., a Delaware
 Corporation; Does I through X, inclusive;
 18 and Roe Corporations XI through XX,
 inclusive,
 19
 20 Defendants.

Case No. 2:19-cv-00600-GMN-VCF

Stipulation and Order

21 Plaintiff Anna Jones and Defendant United States, through their undersigned
 22 attorneys, represent, stipulate, and request that the Court approve, the terms below to fully
 23 conclude this matter as between Plaintiff and the United States.

24 WHEREAS,

- 25 A. The Court recently entered an Order (ECF No. 45) disposing of all claims
- 26 against the United States in favor of the United States;
- 27 B. There remain claims pending against the Thyssenkrupp defendants;
- 28 C. The United States recently filed a Motion for Entry of Final Judgment (ECF

1 No. 46), to which the Thyssenkrupp defendants filed a non-opposition (ECF No. 50), and
2 for which Plaintiff would have until April 28, 2021 to file a response;

3 D. The United States has incurred litigation costs for which it could file a Bill of
4 Costs pursuant to Fed. R. Civ. P. 54(d) and LR 54-1, *et seq.*;

5 E. Plaintiff could seek reconsideration of the Order (ECF No. 45) or appeal of a
6 final judgment in favor of the United States; and

7 F. Plaintiff and the United States each desire to fully end, as between them, all
8 disputes, further motion practice, and proceedings related to this matter;

9 NOW THEREFORE, Plaintiff and the United States stipulate as follows:

10 1. Plaintiff consents to the granting of the United States' Motion for Entry of
11 Final Judgment (ECF No. 46) and the entry of a separate final judgment, pursuant to Fed.
12 R. Civ. P. 58, in favor of the United States;

13 2. Plaintiff will not to seek any relief from any order in favor of the United States
14 or from a final judgment in favor of the United States, and Plaintiff waives any and all rights
15 and grounds to alteration, amendment, reconsideration, and appeal, including without
16 limitation those under Fed. R. Civ. P. 59, 60 and Fed. R. App. P. 3, 4; and

1 3. Defendant United States waives any and all rights to seek and recover costs,
2 including without limitation those under Fed. R. Civ. P. 54(d) and LR 54-1, *et seq.*, and, as
3 between them, Plaintiff and the United States will each bear their own respective costs and
4 attorneys' fees in this matter.

5 Respectfully submitted this 26th day of April 2021.

6 CHRISTOPHER CHIOU
7 Acting United States Attorney

 HEATON & ASSOCIATES

8 */s/ Patrick A. Rose*
9 PATRICK A. ROSE
10 LINDSAY A. AGER
11 Assistant United States Attorneys
12 Attorneys for the United States

/s/ Jared F. Herling
 JARED F. HERLING, ESQ.
 Nevada Bar No. 13350
 5785 Centennial Center Blvd., Suite 240
 Las Vegas, Nevada 89149
 Attorney for Plaintiffs

13 **IT IS SO ORDERED.**

14 **IT IS FURTHER ORDERED** that Defendant United
15 States' [46] Motion for Judgment is **GRANTED**.

16 The Clerk of Court shall enter judgment accordingly.

17 Dated this 27 day of April, 2021.

18 
19 _____
20 Gloria M. Navarro, District Judge
21 UNITED STATES DISTRICT COURT