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Attorneys for Defendant

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

12 BERTHA MORA, individually,

13 Plaintiff,

14 vs.

15 JOSEPH JOHN TOMASULO, individually;
 16 and DOES 1 through 10; and ROE
 ENTITIES 11 through 20, inclusive,

17 Defendants.
18

Case No. 2:19-cv-01423-GMN-BNW

19 **STIPULATION AND ORDER TO**
 20 **EXTEND SETTLEMENT**
 21 **CONFERENCE**

22 COMES NOW Defendant JOSEPH JOHN TOMASULO (“Defendant”), by and through his
 23 counsel of record, M. Caleb Meyer, Esq., Renee M. Finch, Esq., and Jaclyn M. Kliewer, Esq., of
 24 Messner Reeves LLP, and Plaintiff BERTHA MORA, by and through her counsel of record, Lawrence
 25 M. Ruiz, Esq. of the Ruiz Law Firm, and hereby stipulate and request that this Court reschedule the
 26 settlement conference currently set for October 16, 2020 at 9:00 a.m.

27 This request is necessary as defense counsel’s office inadvertently failed to accurately calendar
 28 the date of the settlement conference and deadline for submission of the Defendant’s settlement
 statement. As such, Defendant’s counsel has not been able to prepare Defendant nor his insurance
 carrier for the settlement conference, and cannot assure that an adjuster with full settlement authority

1 will be available to participate in the settlement conference. The parties agree that this clerical error
2 constitutes excusable neglect on Defendant's part. As such, the parties respectfully request that the
3 settlement conference be rescheduled to a time when a representative of Defendant's insurance carrier
4 with binding authority to settlement this matter can participate in the settlement conference.

5 The parties have conferred regarding their respective availability and propose that the
6 settlement conference be reset to December 4, 2020 or sometime thereafter.

7 No previous continuance of the settlement conference has been requested. This stipulation
8 and request is entered into in good faith and not for purposes of delay.
9

10 APPROVED AS TO FORM AND CONTENT.
11

12 Dated this 15th day of October, 2020.

Dated this 15th day of October, 2020.

13 **MESSNER REEVES, LLP**

RUIZ LAW FIRM

14
15 By: */s/ Jaclyn M. Kliewer, Esq.*

By: */s/ Lawrence M. Ruiz, Esq.*

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22 The parties' stipulation is GRANTED.

IT IS ORDERED that the 10/16 settlement conference ("SC") is VACATED and CONTINUED to
12/4/2020 at 9:00 AM. The SC will take place via Zoom videoconference.

23 IT IS ORDERED that the 10/15 pre-SC status check is VACATED and CONTINUED to 12/3/2020 at
24 3:00 PM. The status check is for counsel and the court only. Counsel is to call 877-810-9415 five
minutes before the status check and enter access code "2365998" when prompted.

25 IT IS ORDERED that SC statements are due on or before 11/25/2020 by 5:00 PM. Once the parties
26 submit their SC statements, the Court's clerk will distribute a Zoom invitation. The parties are directed to
27 review ECF No. 22 to learn the Court's requirements for the SC statements and for participation in the SC
itself.

IT IS SO ORDERED

DATED: 2:53 pm, October 15, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE