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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 *****

13 YESSICA ORTIZ,)
14 Plaintiff,) CASE NO. 2:20-cv-1816 APG-BNW
15 vs.)
16 SONORAN BARBECUE NEVADA,)
17 LLC; BERTHA LOREA ZAPEDA)
18)
19 Defendant.)
20)
21)
22)
23)
24)

COME NOW the parties, Yessica Ortiz, by and through her counsel, Lisa A. Rasmussen, Esq. and Bertha Lorea Zapeda, by and through her counsel, Troy A. Clark, Esq. and hereby stipulate as follows:

1. This matter was filed in the Eighth Judicial District Court in July 2020.
2. Ms. Lorea Zapeda was served with a copy of the Complaint and Summons in September 2020.
3. On September 30, 2020, her counsel removed the matter to this Court. [ECF 1.]

Ms. Lorea Zapeda's Statement of Removal was also filed on September 30, 2020. [ECF 5.]

4. Ms. Lorea Zapeda also filed a Motion to Dismiss the Complaint on September 30, 2020. [ECF 6.] A response to Ms. Lorea Zapeda's Motion is due on today's date.

1 5. On October 1, 2020, this Court issued an Order to Show Cause to the Defendants
 2 as to why this matter should not be remanded back to state court based on lack of subject matter
 3 jurisdiction. [ECF 8.] The Court set a deadline of on or before October 16, 2020 for a response
 4 from the defendants. (Id.)

5 6. All parties participated in a mediation hearing on October 8, 2020 and they have
 6 resolved all claims. Because it takes some time to circulate and execute all of the appropriate
 7 settlement documents, the parties are not able to file the agreed upon dismissal documents,
 8 which will result in a dismissal with prejudice, on today's date.

9 7. It would be a waste of resource and unnecessary for Plaintiff to respond to
 10 pending Motion to Dismiss and it would also be a waste of resource and unnecessary for the
 11 defendants to respond to this Court's Order to Show Cause as the matter will be dismissed
 12 shortly.

13 8. Accordingly, the parties stipulate to extend Plaintiff's deadline to respond to the
 14 Motion to Dismiss to November 15, 2020.

15 9. The parties jointly request that it extend its deadline to respond to the Order to
 16 Show Cause until November 15, 2020 for the same reasons, but since it is a deadline set by the
 17 Court, they cannot stipulate to move it, but they jointly request that it be moved.

18 10. This will permit the parties to complete execution of settlement documents and
 19 to get their proper dismissal of this action on file in this case.

20 11. This Stipulation is not made for any purpose of delay, but rather is made in the
 21 spirit of judicial economy to spare everyone, including the court, any additional unnecessary
 22 effort in this matter.

23 IT IS SO STIPULATED.

24 Dated this 14th day of October, 2020.

25 **Wildeveld & Associates,**

26 /s/ *Lisa A. Rasmussen*

27 LISA A. RASMUSSEN, ESQ.
 28 NV Bar No. 7491
 29 Counsel for Plaintiff

25 **Resnick & Louis, P.C.**

26 /s/ *Troy A. Clark*

27 TROY A. CLARK, ESQ.
 28 NV Bar No. 11361
 29 Counsel for Defendants

1 **ORDER**

2 Upon the Stipulation of the parties, and good cause appearing,

3 IT IS HEREBY ORDERED that the Plaintiff's deadline to respond to Lorea Zapeda's

4 Motion to Dismiss is hereby extended to November 15, 2020.

5 IT IS FURTHER ORDERED that the Defendants' deadline to respond to this Court's
6 Order to Show Cause [ECF 8] is hereby extended to November 15, 2020.

7 Dated: October 15, 2020

8 

9 The Honorable Andrew P. Gordon
10 United States District Judge