

1 DANA JONATHON NITZ
NEVADA BAR NO. 50
2 SELMAN BREITMAN LLP
3993 Howard Hughes Parkway, Suite 200
3 Las Vegas, NV 89169-0961
Telephone: 702.228.7717
4 Facsimile: 702.228.8824
Email: dnitz@selmanlaw.com
5

6 Attorneys for Defendant/Counterclaimant/
Third-Party Plaintiff/Counterdefendant Indian
7 Harbor Insurance Company
8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 MARIA GARNICA, an individual,
12 Plaintiff,

13 v.

14 INDIAN HARBOR INSURANCE COMPANY;
15 DOES I - V, and ROE CORPORATIONS I - V,
16 inclusive,

17 Defendants.

18 _____
19 INDIAN HARBOR INSURANCE COMPANY,
20 Counterclaimant,

21 v.

22 MARIA GARNICA,
23 Counterdefendant.

24 _____
25 INDIAN HARBOR INSURANCE COMPANY,
26 Third-Party Plaintiff,

27 v.

28 LOUI DEEDS, an individual, NELLY IRAN, an
individual, BLUE SHIELD OF CALIFORNIA, a

Case No. 2:21-cv-00560-JCM-VCF

**ORDER RE: INDIAN HARBOR
INSURANCE COMPANY'S MOTION
TO INTERPLEAD FUNDS AND FOR
DISMISSAL (ECF NOS. 45 AND 46)**

California corporation,
Third Party Defendants.

LOUI DEEDS, an Individual,
Third-Party Defendant's Counterclaim,
v.
INDIAN HARBOR INSURANCE COMPANY;
DOES I-V, and ROE CORPORATIONS I-V,
inclusive
Counterdefendants.

Before the Court is Indian Harbor Insurance Company's Motion to Interplead Funds and for Dismissal (ECF Nos. 45 and 46), filed on March 22, 2022. Maria Garnica filed a Response on March 31, 2022 (ECF No. 47) and Loui Deeds' filed a Response on April 4, 2022 (ECF No. 48) to which Maria Garnica Joined (ECF No. 49). Indian Harbor Insurance Company filed its Reply on April 7, 2022 (ECF No. 50). The hearing was held on May 3, 2022 before the Honorable Cam Ferenbach via videoconference.

IT IS THEREFORE ORDERED that Indian Harbor Insurance Company's Motion to Interplead Funds (ECF No. 45) is granted.

IT IS FURTHER ORDERED that Indian Harbor Insurance Company's Motion for Dismissal (ECF No. 46) is denied without prejudice.

///

///

///

///

///

///

///

///

1 **IT IS FURTHER ORDERED** that Defendant Indian Harbor Insurance Company has until
2 May 10, 2022 to deposit the funds.

3 DATED: May 10, 2022.



4
5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE

7 Respectfully submitted by,

8 SELMAN BREITMAN LLP

9 By: /s/ Dana Jonathon Nitz

10 DANA JONATHON NITZ
11 NEVADA BAR NO. 50
12 3993 Howard Hughes Parkway, Suite 200
13 Las Vegas, NV 89169-0961
14 Phone: 702.228.7717
15 Facsimile: 702.228.8824
16 Attorneys for Defendant/Counterclaimant/Third-Party
17 Plaintiff/Counterdefendant Indian Harbor Insurance Company

18 Approved as to form:

19 THE FIRM, P.C.

20 SHOOK & STONE, PLLC

21 By: /s/ David F. Sampson

22 PRESTON P. REZAEI
23 NEVADA BAR NO. 10729
24 630 S. Third Street
25 Las Vegas, NV 89101
26 Telephone: 702.222.3476
27
28 DAVID F. SAMPSON, ESQ.
NEVADA BAR NO. 6811
LAW OFFICE OF DAVID SAMPSON
630 S. 3rd Street
Las Vegas, NV 89101
Telephone: 702.605.1099

Attorneys for Plaintiff/Counterdefendant
Maria Garnica

By: /s/ Kurt D. Anderson

LEONARD H. STONE
NEVADA BAR NO. 5791
KURT D. ANDERSON
NEVADA BAR NO. 0093
710 S. Fourth Street
Las Vegas, NV 89101
Facsimile 702.384.0394
Attorneys for Third-Party
Defendant/Third-Party Plaintiff Loui
Deeds