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 Attorneys for Plaintiff

8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

11 EMILY SCHULTZ and DANIEL SCHULTZ,
 Parents and Natural Guardians of E. S., a minor,
 12
 13 Plaintiff,
 14 v.
 15 LM GENERAL INSURANCE COMPANY
 aka LIBERTY MUTUAL INSURANCE
 16 COMPANY, a foreign corporation; and DOES
 I through X; and ROE CORPORATIONS I
 17 through X, inclusive,
 18 Defendants.

CASE NO. : 2:22-CV-00523-GMN-DJA

**STIPULATION AND ORDER TO
 REMAND TO STATE COURT**

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19
 20 Plaintiffs EMILY SCHULTZ and DANIEL SCHULTZ, as parents and natural guardians
 21 of E.S., a minor (“Plaintiffs”), and Defendant LM GENERAL INSURANCE COMPANY aka
 22 LIBERTY MUTUAL INSURANCE COMPANY (“Defendant”), by and through their respective
 23 counsel of record hereby agree and stipulate to remand this action to the Eighth Judicial District
 24 Court, Clark County, Nevada. Good cause exists for this stipulation as follows:

25 1. On December 17, 2021, Plaintiffs filed their Complaint against Defendant in the
 26 Eighth Judicial District Court, Clark County, Nevada, Case Number A-21-845605-C (the “State
 27 Court Action”).

28 ...

1 2. On March 24, 2022, Defendant filed a Notice of Removal with this Court and the
2 Eighth Judicial District Court to remove the State Court Action to this Court on the basis of
3 diversity jurisdiction.

4 3. Following removal, Plaintiffs and Defendant agreed to attempt to resolve the claims
5 at issue here via mediation and accordingly filed a Joint Motion to Stay (ECF No. 10), which was
6 granted.

7 4. As a result of mediation and settlement negotiations that followed mediation,
8 Plaintiffs and Defendant have reached a proposed settlement that includes a structured settlement
9 for a minor child.

10 5. As is the case with structured settlements, there are specific timing deadlines for
11 depositing of funds that must be met in order to assess interest issues for payouts.

12 6. Since this settlement necessarily requires a Petition to Compromise Claim of
13 Minor, and due to the expedited deadlines for structured settlement compliance, the parties have
14 agreed to submit remand this case back to state court for the purposes of completing the settlement
15 processes.

16 7. Specifically, once the stipulation and order is entered and the case is formally
17 remanded, the parties will file a Petition to Compromise Claim of Minor on an Order Shortening
18 Time in order to ensure that matter can be heard and decided within the deadlines for depositing
19 of funds under the current structured settlement timeline.

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1 8. The parties represent that they have investigated the issues surrounding the final
2 settlement requirements and agree that the remand to state court is the appropriate course of
3 action.

4 Plaintiffs and Defendant respectfully request that the Court so Order.

5 Dated: December 29, 2022

Dated: December 29, 2022

6 JEREZ LAW, PLLC

CLYDE & CO US LLP

7
8 /s/ Isaiah A. Jerez

/s/ Dylan P. Todd

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15 *Attorneys for Plaintiffs*

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*Attorneys for LM General Insurance Company,
erroneously named as LM General Insurance
Company aka Liberty Mutual Insurance Company*


16 **ORDER**

17 **IT IS SO ORDERED.**

18 **IT IS FURTHER ORDERED** that the case is **REMANDED** to state court.

19 **IT IS FURTHER ORDERED** that the Clerk is instructed to close the case.

20 Dated this 29 day of December, 2022.

21
22 
23 Gloria M. Navarro, District Judge
24 UNITED STATES DISTRICT COURT

24 **CERTIFICATE OF SERVICE**

25 The undersigned hereby certifies that on the 29th day of December, 2022, a copy of the
26 above and foregoing s was served by submission to the above-entitled Court for electronic service
27 under the Court’s Registered Service List for the above-referenced case.

28 /s/Kristie L. Fischer
Employee of JEREZ LAW, PLLC
Page 3 of 3

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From: [Todd, Dylan](#)
To: [Isaiah Jerez](#)
Cc: [Kristie Fischer](#)
Subject: RE: Schultz v. LM - SAO to Remand for Purposes of Compromising
Date: Tuesday, December 27, 2022 12:59:41 PM

I'll send it off now.

Dylan Todd
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From: Isaiah Jerez <Isaiah@JerezLaw.com>
Sent: Tuesday, December 27, 2022 10:41 AM
To: Todd, Dylan <Dylan.Todd@clydeco.us>
Cc: Kristie Fischer <kristie@JerezLaw.com>
Subject: Re: Schultz v. LM - SAO to Remand for Purposes of Compromising

Looks good. Let me know when you get client approval.

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From: Todd, Dylan <Dylan.Todd@clydeco.us>
Date: Tuesday, December 27, 2022 at 10:39 AM
To: Isaiah Jerez <Isaiah@JerezLaw.com>
Cc: Kristie Fischer <kristie@JerezLaw.com>
Subject: RE: Schultz v. LM - SAO to Remand for Purposes of Compromising

let me know what you think.

Dylan Todd
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From: Isaiah Jerez <Isaiah@JerezLaw.com>
Sent: Tuesday, December 27, 2022 10:25 AM
To: Todd, Dylan <Dylan.Todd@clydeco.us>
Cc: Kristie Fischer <kristie@JerezLaw.com>
Subject: Schultz v. LM - SAO to Remand for Purposes of Compromising

Morning Dylan,

Hope you had a great Christmas with the family.

Attached is the proposed SAO to remand. Please let me know if I have authority to affix your e-signature, or if you have any changes.

Thanks,

Isaiah A. Jerez
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From: [Todd, Dylan](#)
To: [Isaiah Jerez](#)
Cc: [Brouse, Gina](#); [Kristie Fischer](#)
Subject: 22.12.27 Stipulation and Order to Remand
Date: Thursday, December 29, 2022 11:27:38 AM
Attachments: [22.12.27 Stipulation and Order to Remand.docx](#)

Received the approval this morning for the revised stip. I also realized that today is the deadline to update the court on the settlement so this should likely get filed today.

Thanks

If our account details change, we will notify these to you by letter, telephone or face-to-face and never by email.

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