

1 F. THOMAS EDWARDS ESQ.
 Nevada Bar No. 9549
 2 E-mail: tedwards@nevadafirm.com
 ADAM J. PERNSTEINER, ESQ.
 3 Nevada Bar No. 7862
 E-mail: apernsteiner@nevadafirm.com
 4 HOLLEY DRIGGS
 300 South Fourth Street, Suite 1600
 5 Las Vegas, Nevada 89101
 Telephone: 702/791-0308

6 *Attorneys for Defendants*

7
 8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 JIMMY COLSON, an individual;

11 Plaintiff,

12 v.

13 BULOW HOLDINGS, LLC, a Delaware
 limited liability company; and, OSSUR
 14 AMERICAS, INC., a California corporation;

15 Defendants.

CASE NO.: 2:22-cv-1950-APG-BNW

**JOINT STATUS REPORT AND
 STIPULATION AND ORDER**

16
 17 Pursuant to the Court's prior Order [ECF No. 22] dated January 8, 2024, which directed
 18 the parties to submit a joint status report by February 2, 2024, Plaintiff Jimmy Colson
 19 ("Plaintiff") and Defendants Bulow Holdings, LLC and Ossur Americas, Inc. ("Defendants")
 20 (collectively the "Parties"), by and through their undersigned counsel, hereby state the following:

21 **PROCEDURAL BACKGROUND**

22 1. On October 20, 2022, Plaintiff commenced this action in the Eighth Judicial
 23 District Court for Clark County, Nevada against Defendants.

24 2. On November 18, 2022, Defendants removed the action to this Court.

25 3. On November 28, 2022, the Parties filed a Stipulation and [Proposed] Order
 26 Extending Time for Defendants to File and Serve Their Answer or Other Response to the
 27 Complaint [ECF No. 5], which was adopted and granted by the Court in its subsequent Order
 28 [ECF No. 6] of November 29, 2022.

1 4. On December 8, 2022, the Parties submitted a Stipulation and [Proposed] Order
2 to Stay All Proceedings [ECF No. 8] pending the scheduling and outcome of a planned mediation
3 between the Parties.

4 5. On December 9, 2022, the Court adopted the stipulation and issued its Order to
5 Stay All Proceedings [ECF No. 9]. In its Order, the Court further directed that the Parties submit
6 a joint status report within 60 days of the entry of the Order.

7 6. On February 7, 2023, the Parties submitted a Joint Status Report and Stipulation
8 and Proposed Order to Continue Stay of All Proceedings [ECF Nos. 10 and 11] based on the
9 parties' mediation, which was scheduled for March 2, 2023. The Court adopted the stipulation
10 and order in its Order to Continue Stay of All Proceedings [ECF No. 12] on February 8, 2023,
11 which further directed that the parties submit a joint status report by March 31, 2023.

12 7. On March 24, 2023, the Parties submitted a second Joint Status Report and
13 Stipulation and Proposed Order to Continue Stay of All Proceedings [ECF Nos. 13 and 14] based
14 on the parties' mediation, which was scheduled for March 2, 2023. The Court adopted the
15 stipulation and order in its Order to Continue Stay of All Proceedings [ECF No. 15] on February
16 8, 2023, which further directed that the parties submit a joint status report by June 30, 2023

17 8. On June 30, 2023, the Parties submitted a third Joint Status Report and Stipulation
18 and Order to Continue Stay of All Proceedings [ECF Nos. 16 and 17] based on the parties
19 mediation. The Court adopted the stipulation and order in its Order to Continue Stay of All
20 Proceedings [ECF No. 18] on July 5, 2023, which further directed that the parties submit a joint
21 status report by September 29, 2023.

22 9. The Parties submitted a fourth Joint Status Report and Stipulation and Proposed
23 Order to Continue Stay of All Proceedings [ECF Nos. 19 and 20] which was adopted by the
24 Court in its Order to Continue Stay of All Proceedings [ECF No. 21] on October 2, 2023, which
25 further directed that the parties submit a joint status report by November 28, 2023.

26 10. On January 8, 2024, during the pendency of the Parties' ongoing discussions
27 regarding the initiation of private binding arbitration proceedings in this matter, the Court issued
28 its Order [ECF No. 22] directing the Parties to submit a joint status report by February 2, 2024.

