

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

ISSAC AVENDANO and ROLANDO DUENAS,
Plaintiffs,
vs.
SECURITY CONSULTANTS GROUP, INC., et al.,
Defendants.
3:13-cv-00168-HDM-VPC
MINUTES OF COURT
March 30, 2016

PROCEEDINGS: Telephonic Hearing Re: Stipulated Settlement and [173] Union Defendants’ Objections to Magistrate’s Orders

PRESENT: THE HONORABLE HOWARD D. McKIBBEN, SENIOR U.S. DISTRICT JUDGE

Deputy Clerk: Paris Rich Court Reporter: Kathryn French

Plaintiffs’ Counsel: John Tucker, Esq. and Rachel Baldrige, Esq. for Issac Avendano and Rolando Duenas

Defendants’ Counsel: Margaret Foley, Esq. for Security Consultants Group, Inc., Paragon Systems, Inc., and Securitas Security Services USA, Inc.

Robert Kapitan, Esq. and Michael Langton, Esq. for United Government Security Officers of America, International Union and United Government Security Officers of America, Local 283 (“Union Defendants”)

At 9:00 a.m., the Court convenes.

John Tucker and Rachel Baldrige are present telephonically on behalf of Plaintiffs Issac Avendano and Rolando Duenas

Margaret Foley is present telephonically on behalf of Defendants Security Consultants Group, Inc., Paragon Systems, Inc., and Securitas Security Services USA, Inc.

Robert Kapitan and Michael Langton are present telephonically on behalf of Union Defendants.

The Court addresses the status of the parties' settlement in this matter and inquires as to the filing of the stipulation for dismissal. The Court further recites intention to deny as moot (or without prejudice) pending Motions [200], [201], [202], and [258] and granting of [238] Motion.

Mr. Tucker and Ms. Foley confirm they have completed the final draft of the Settlement Agreement and are obtaining signatures from their clients. Thereafter, payment will be forthcoming per the terms of the Settlement Agreement and a stipulation to dismiss this action will follow. Counsel further confirm that the Court's representations this date as to the settlement terms are correct.

The Court indicates the parties are bound by the settlement they have reached. The Court and counsel further confer as to the remaining matters to be performed in the settlement.

IT IS ORDERED, a stipulation for dismissal of this action shall be due to the Court no later than Friday, April 8, 2016 at 12:00 p.m.

Further, based upon the parties' representations this date, **IT IS ORDERED:**

[200] Union Defendants' Motion for Summary Judgment is DENIED as moot;

[201] Securitas Security Services USA, Inc.'s Motion for Summary Judgment is DENIED as moot;

[202] Corporate Defendants' Motion for Summary Judgment is DENIED as moot;

[258] Plaintiffs' Motion to Strike Corporate Defendants' Reply Briefs is DENIED as moot; and

[238] Plaintiffs' Motion to Seal is GRANTED. IT IS SO ORDERED.

The Court addresses [173] Union Defendants' Objections to Magistrate's Orders: [124] Order filed on December 2, 2014 and [162] Order filed on April 2, 2015. Counsel submit on the pleadings.

At 9:09 a.m., the Court recites findings and conclusions with respect to [173] Union Defendants' Objections to Magistrate's Orders.

////

////

////

////

IT IS ORDERED, [173] Union Defendants' Objections to Magistrate's Orders is DENIED in part and GRANTED in part.

IT IS FURTHER ORDERED, [173] Union Defendants' Objections to Magistrate's Orders is DENIED with respect to the attorney fees and costs in the total amount of \$34,658.09 as follows:

John Tucker	\$16,177.50
Rachel Baldrige	17,400.00
Ian Silverberg	600.00
Costs	<u>480.59</u>
Total	\$34,658.09

Union Defendants shall pay to Plaintiffs the total amount of \$34,658.09 in attorney fees and costs.

IT IS FURTHER ORDERED, in all other respects, [173] Union Defendants' Objections to Magistrate's Orders is GRANTED.

The Court recites closing comments to counsel.

The Court further clarifies the breakdown of the total amount awarded to Plaintiffs as follows:

With respect to the show cause order (#105) in the amount of \$14,507.50:
John Tucker, 14.35 hours or \$6,457.50; and
Rachel Baldrige, 32.2 hours or \$8,050.00;

With respect to the motion for fees (#133) in the amount of \$19,070.00:
John Tucker, 21.6 hours or \$9,720.00 and
Rachel Baldrige, 37.4 hours or \$9,350.00;

With respect to local counsel Ian Silverberg in the amount of \$600.00:
1.2 hours or \$240.00 for the show cause order (#105) and
1.8 hours or \$360.00 for the motion for fees (#133);

Finally, the change of flight cost on the ENE in the amount of \$480.59 for a total amount of \$34,658.09.

The Court restates the Friday, April 8, 2016 at 12:00 p.m. deadline for the filing of the parties' stipulation for dismissal.

At 9:42 a.m., the Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ Paris Rich
Deputy Clerk