

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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|----------------------------|------------------------------------|
| LEVERTY & ASSOCIATES LAW) | 3:17-CV-0175-MMD (VPC) |
| CHTD.,) | |
|) | |
| Plaintiff,) | <u>MINUTES OF THE COURT</u> |
|) | |
| vs.) | February 14, 2018 |
|) | |
| RAY WARREN EXLEY,) | |
|) | |
| Defendant.) | |
| _____) | |

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Defendants' motion to continue hearing (ECF No. 82) is **DENIED**. A settlement conference was held in this matter on July 27, 2017 (ECF No. 46). Since that time, the parties have been at odds over the finalization of the settlement and a motion to enforce settlement was filed on November 9, 2017 (ECF No. 55). On January 23, 2018, a motion hearing was set after consultation with both parties for February 21, 2018 at 10:00 a.m. (ECF No. 80). The court has ordered both Dr. Exley and Juliana Loza-Exley to appear via telephone for the entirety of this hearing (ECF No. 81). Ms. Loza-Exley has now filed a motion seeking a continuance of this hearing because she will be in France at this time and it will be inconvenient for her to call in at 10:00 am Pacific time which is 7:00 pm in France.

The motion to enforce settlement will be heard by this court on February 21, 2018 at 10:00 a.m. (Pacific Time) (ECF No. 80). Ray Warren Exley and Juliana Loza-Exley are ordered to appear either in person or telephonically for the entirety of the hearing. If Dr. Exley fails to appear, the court may consider the motion to enforce settlement unopposed and grant the motion in its entirety. Juliana Loza-Exley is hereby notified that the court is considering a referral to the State Bar of Nevada for practicing law without a license in this case. If either party fails to appear, both Dr. Exley and Juliana Loza-Exley are notified that they may be subject to sanctions in this matter for failure to follow court a court order pursuant to Local Rule IA 11-8 and under 28 U.S.C. § 1927 and the inherent power of the court.

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: _____ /s/
Deputy Clerk