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7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE DISTRICT OF NEVADA

Case No.: 3:17-CV-00577-RJC-VPC

10 TRUSTEES of the NORTHERN NEVADA  
 LABORERS HEALTH & WELFARE TRUST  
 11 FUND, CRAIG MADOLE, DAVE BACKMAN,  
 CRAIG HOLT, DAN RUSNAK, ELOY JARA,  
 12 RICHARD DALY; TRUSTEES of the  
 LABORERS PENSION TRUST FUND FOR  
 13 NORTHERN NEVADA, CRAIG MADOLE,  
 DAVE BACKMAN, CRAIG HOLT, DAN  
 14 RUSNAK, ELOY JARA, RICHARD  
 DALY; TRUSTEES of the CONSTRUCTION  
 15 WORKERS VACATION SAVINGS TRUST  
 PLAN, CRAIG MADOLE, DAVE BACKMAN,  
 16 CRAIG HOLT, DAN RUSNAK, ELOY JARA,  
 RICHARD DALY; TRUSTEES of the  
 17 LABORERS TRAINING TRUST FOR  
 NORTHERN NEVADA, CRAIG MADOLE,  
 18 DAVE ELIZONDO, FRED REEDER, DAN  
 RUSNAK, ELOY JARA, RICHARD DALY;  
 19 TRUSTEES of the CEMENT MASONS  
 ANNUITY TRUST FUND FOR NORTHERN  
 20 NEVADA, CRAIG MADOLE, SHANE GLENN,  
 KEVIN LINDERMAN, MARC LEAVITT,  
 21 THOMAS NORTHRUP, JESSE BARAJAS;  
 TRUSTEES of the CEMENT MASONS JOINT  
 22 APPRENTICESHIP AND TRAINING TRUST  
 FUND, CRAIG MADOLE, KEVIN  
 23 LINDERMAN, SHANE GLENN, MARC  
 LEAVITT, THOMAS NORTHRUP, JAMES  
 24 OBREGON; TRUSTEES of the NORTHERN  
 NEVADA OPERATING ENGINEERS HEALTH  
 25 AND WELFARE TRUST FUND, CRAIG  
 MADOLE, FRED REEDER, LANCE  
 26 SEMENKO, STEVE INIGERSOLL, DYLAN  
 GALLAGHER, SCOTT FULLERTON;  
 27 TRUSTEES of the OPERATING ENGINEERS  
 AND PARTICIPATING EMPLOYERS  
 28 PREAPPRENTICE, APPRENTICE, AND  
 JOURNEYMAN AFFIRMATIVE ACTION

**STIPULATION AND ORDER TO  
 EXTEND DEADLINE FOR HERC  
 RENTALS, INC. TO ANSWER  
 AMENDED COUNTERCLAIM**

1 TRAINING FUND FOR NORTHERN  
2 NEVADA, CRAIG MADOLE, FRED REEDER,  
3 LANCE SEMENKO, STEVE INGERSOLL,  
4 DYLAN GALLAGHER, SCOTT FULLERTON;  
5 TRUSTEES of the OPERATING ENGINEERS  
6 PENSION TRUST FUND, JAMES MURRAY,  
7 KEVIN ALBANESE, STEVE CLARK, F.G.  
8 CROSTHWAITE, BRYAN FLAKE, THOMAS  
9 HOLSMAN, LANCE INOUE, RICHARD  
10 PIOMBO, TOM SQUERI, DAVID STANTON,  
11 RUSSELL BURNS, MIKE CROLL, JUSTIN  
12 DISTON, DAVID HARRISON, STEVE  
13 INGERSOLL, PANE MEATOGA, JR., BRUCE  
14 NOEL, DAN REDING, JAMES SULLIVAN,  
15 NATE TUCKER; TRUSTEES of the  
16 OPERATING ENGINEERS VACATION  
17 HOLIDAY AND SICK PAY TRUST FUND,  
18 JAMES MURRAY , BRYAN FLAKE, LANCE  
19 INOUE, TOM SQUERI, RUSSELL BURNS,  
20 JUSTIN DISTON, STEVE INGERSOLL, DAN  
21 REDING, JAMES SULLIVAN; and TRUSTEES  
22 OF THE OPERATING ENGINEERS  
23 PENSIONED HEALTH & WELFARE TRUST  
24 FUND, JAMES MURRAY, KEVIN  
25 ALBANESE, STEVE CLARK, F.G.  
26 CROSTHWAITE, BRYAN FLAKE, THOMAS  
27 HOLSMAN, LANCE INOUE, RICHARD  
28 PIOMBO, TOM SQUERI, DAVID STANTON,  
RUSSELL BURNS, MIKE CROLL, JUSTIN  
DISTON, DAVID HARRISON, STEVE  
INGERSOLL, PANE MEATOGA, JR., BRUCE  
NOEL, DAN REDING, JAMES SULLIVAN,  
NATE TUCKER;

Plaintiffs,

v.

KENNETH M. MERCURIO, an individual;  
FAST-TRACK SERVICES, LTD., a Nevada  
limited liability company; ALLEGHENY  
CASUALTY COMPANY, a Pennsylvania  
corporation; DOES I-10,

Defendants.

ALLEGHENY CASUALTY COMPANY,

Counterclaimant,

vs.

TRUSTEES of the NORTHERN NEVADA  
LABORERS HEALTH & WELFARE TRUST  
FUND; TRUSTEES of the LABORERS  
PENSIONS TRUST FUND FOR NORTHERN  
NEVADA; TRUSTEES of the CONSTRUCTION

1 WORKERS VACATION SAVINGS TRUST  
2 PLAN; TRUSTEES of the LABORERS  
3 TRAINING TRUST FOR NORTHERN  
4 NEVADA; TRUSTEES of the CEMENT  
5 MASONS ANNUITY TRUST FUND FOR  
6 NORTHERN NEVADA; TRUSTEES of the  
7 CEMENT MASONS JOINT APPRENTICESHIP  
8 AND TRAINING TRUST FUND; TRUSTEES of  
9 the NORTHERN NEVADA OPERATING  
10 ENGINEERS HEALTH AND WELFARE  
11 TRUST FUND; TRUSTEES of the OPERATING  
12 ENGINEERS AND PARTICIPATING  
13 EMPLOYERS PREAPPRENTICE,  
14 APPRENTICE, AND JOURNEYMAN  
15 AFFIRMATIVE ACTION TRAINING FUND  
16 FOR NORTHERN NEVADA; TRUSTEES of  
17 the OPERATING ENGINEERS PENSION  
18 TRUST FUND; TRUSTEES of the OPERATING  
19 ENGINEERS VACATION HOLIDAY AND  
20 SICK PAY TRUST FUND; and TRUSTEES OF  
21 THE OPERATING ENGINEERS PENSIONED  
22 HEALTH & WELFARE TRUST FUND;  
23 OPERATING ENGINEERS LOCAL 12 TRUST  
24 FUNDS; SOUTHERN NEVADA LABORERS  
25 LOCAL 872 TRUST FUNDS; AND  
26 CARPENTERS SOUTHWEST  
27 ADMINISTRATIVE COPORATION; HD  
28 SUPPLY; RAFAEL CONSTRUCTION, INC.;  
INLINE DISTRIBUTION; CASHMAN  
EQUIPMENT COMPANY; DISCOUNT  
DUMPSTERS DBA WESTERN ELITE; HERC  
RENTALS, INC; 3D CONCRETE, INC.; DOES I  
through X, inclusive; AND ROE  
CORPORATIONS I through X, inclusive;

Counterdefendants

Counter-Defendant Herc Rentals, Inc. and Counterclaimant Allegheny Casualty Company,  
by and through their respective counsel of record, hereby stipulate and agree as follows:

Counterclaimant Allegheny Casualty Company served Counter-Defendant Herc Rentals, Inc.  
with the amended counterclaim on January 10, 2019. Counter-Defendant Herc Rentals, Inc.'s  
deadline to respond to the amended counterclaim is January 31, 2019. The parties stipulate and  
agree that Herc Rentals, Inc. shall have until February 14, 2019 to file a response to Allegheny  
Casualty Company's amended counterclaim. This is the first request for an extension of this

1 deadline, is made in good faith, and is not made for purposes of undue delay. The request is made to  
2 allow Counter-Defendant to further review the allegations of the amended counterclaim and provide  
3 a meaningful response.  
4

5 DATED: January 29, 2019.

DATED: January 29, 2019.

6 **ALDRICH LAW FIRM, LTD.**

**THE FAUX LAW GROUP**

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/s/ Willi H. Siepmann

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18 *Attorneys for Counterdefendants*

*Attorneys for Defendants*

19  
20 **ORDER**

21 IT IS SO ORDERED.

22 Dated this 30<sup>th</sup> day of January, 2019.

23  
24   
United States Magistrate Judge