

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SID CHILDRESS,

Plaintiff,

vs.

Case No. 1:17-cv-00261-RJ-WPL

NATIONWIDE MUTUAL INSURANCE  
COMPANY and NATIONWIDE SALES  
SOLUTIONS INC.,

Defendants.

**STIPULATED ORDER ON PENDING MOTIONS**

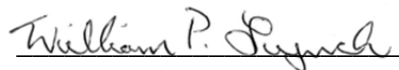
As shown by the respective approvals of counsel for the parties appearing below, the parties have agreed and stipulated to this Order resolving all pending motions on the terms set forth in this Order.

Plaintiff filed a First Motion for Summary Judgment, **Doc. 23, on 6/5/17**. Defendants filed their Opposition to that motion, Doc. 37, on 7/18/17. In their Opposition, Defendants withdrew their “Seventh and Eighth Defenses” that were a subject of Plaintiff’s motion, reserving the right to assert such defenses in other litigation matters or in this case if the posture of this case materially changes. On those conditions Plaintiff has agreed his First Motion for Summary Judgment may be denied at this time. **IT IS SO ORDERED.**

Plaintiff filed a First Motion to Compel Discovery, **Doc. 24, on 6/5/17**. Defendants filed their Opposition to that motion, Doc. 38, on 7/18/17. Plaintiff has agreed that his First Motion to Compel Discovery may be denied as moot at this time, but that such denial of the

motion is without waiver of any of the discovery the subject of that motion and is without prejudice to Plaintiff should the need to revisit any issue the subject of that motion arise in the future in this matter. IT IS SO ORDERED.

Defendants filed their Motion to Quash Subpoena to Non-Party Datalot Inc., **Doc 34, on 7/5/17**. Plaintiff has agreed to withdraw the subpoena to Datalot the subject of the motion, and that he will not seek at this time the discovery the subject of the motion that is objectionable to Defendants. Therefore the Court should deny as moot the Motion to Quash Subpoena to Non-Party Datalot Inc. IT IS SO ORDERED.



William P. Lynch  
United States Magistrate Judge

STIPULATED AND AGREED TO

By: /s/ Sid Childress

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