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Attorneys for Defendants  
XL AMERICA, INC., XL INSURANCE AMERICA, INC.,  
XL SELECT PROFESSIONAL, PEARL INSURANCE GROUP, LLC,  
GREENWICH INSURANCE GROUP

**UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF NEVADA**

In re:  
  
AMERI-DREAM REALTY, LLC  
  
Debtor.

Case No.: 15-10110-led  
  
Chapter 7  
  
Adversary Proceeding No. 15-01183-led

VICTORIA NELSON, In Her Capacity As The  
Chapter 7 Trustee Of AMERI-DREAM  
REALTY, LLC,  
  
Plaintiff,

**FIFTH STIPULATION REGARDING  
DEFENDANTS' MOTION TO WITHDRAW  
REFERENCE AND OTHER PENDING  
MOTIONS**

v.

XL AMERICA, INC.; XL INSURANCE  
AMERICA, INC.; XL SELECT  
PROFESSIONAL; PEARL INSURANCE  
GROUP, LLC; GREENWICH INSURANCE  
COMPANY; and DOES I through X; and ROE  
CORPORATE DEFENDANTS XI through XX,  
  
Defendants.

Hearing Date: August 18, 2016  
Hearing Time: 2:00 p.m.

XL America, Inc., XL Insurance America, Inc., XL Select Professional, Pearl Insurance Group, LLC and Greenwich Insurance Company (collectively, the "Defendants"), by and through their attorneys of record, Wilson Elser Moskowitz Edelman & Dicker LLP, and Victoria L. Nelson, in her capacity as the Chapter 7 Trustee (the "Plaintiff" or the "Trustee") of Ameri-Dream, LLC (the "Debtor" or the "Company"), by and through her attorneys of record, Schwartz Flansburg PLLC, hereby stipulate and agree to the following:

1 WHEREAS, on January 9, 2015, the Company filed a voluntary petition for relief under  
2 Chapter 7 of the United States Bankruptcy Code, whereby the Trustee was appointed as Chapter 7  
3 Trustee;

4 WHEREAS, on October 29, 2015, the Trustee initiated the above-captioned adversary  
5 complaint (the "Complaint") against the Defendants, thereby commencing this adversary proceeding  
6 (the "Adversary Proceeding");

7 WHEREAS, on December 22, 2015, the Trustee filed her Motion for Summary Judgment  
8 (the "MSJ");

9 WHEREAS, on December 23, 2015, the Defendants filed their Motion to Withdraw the  
10 Reference of this Adversary Proceeding (the "Withdrawal Motion");

11 WHEREAS, on December 23, 2015, Defendants XL America, Inc., XL Insurance America,  
12 Inc., XL Select Professional and Pearl Insurance Group, LLC filed their Motion to Dismiss the  
13 Complaint, and that same day, Defendant Greenwich Insurance Company filed its Motion to Dismiss  
14 the Complaint (collectively, the "MTDs");

15 WHEREAS, on December 28, 2015, this Court entered an order shortening time (the "OST")  
16 for hearing on the Withdrawal Motion, setting a hearing for January 11, 2016, at 1:30 p.m., and  
17 setting opposition and reply briefing deadlines for January 4, 2016, and January 8, 2016,  
18 respectively;

19 WHEREAS, on December 30, 2015, the parties filed a Stipulation Regarding Defendants'  
20 Motion to Withdraw the Reference and Other Pending Motions (the "Stipulation");

21 WHEREAS, on December 31, 2015, the Court entered an Order Approving the Stipulation  
22 (the "Order");

23 WHEREAS, the Order vacated the January 11, 2016 hearing on the Withdrawal Motion;

24 WHEREAS, on January 8, 2016, the Clerk of this Court transmitted the Withdrawal Motion  
25 to the Clerk of the District Court;

26 WHEREAS, on January 25, 2016, the Trustee filed her Opposition to the Withdrawal Motion  
27 in the district court;

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1 WHEREAS, on February 7, 2016, Defendants filed their Reply in Support of their  
2 Withdrawal Motion in the district court;

3 WHEREAS, the Withdrawal Motion has not yet been ruled on by the District Court; and

4 WHEREAS, the parties also desire to stipulate and agree that once the Withdrawal Motion is  
5 heard and decided by the District Court, the parties will agree to the appropriate hearing dates and  
6 briefing deadlines for the MSJ and MTDs, either before the district court or the bankruptcy court,  
7 pending the outcome of the Withdrawal Motion.

8 NOW, THEREFORE, the Trustee and Defendants hereby stipulate and agree to the  
9 following, and concurrently seek this Court's approval of the same.

10 IT IS HEREBY STIPULATED AND AGREED that pending the district court's decision on  
11 the Withdrawal Motion, this Court's hearing on the MSJ and MTDs, currently scheduled for August  
12 18, 2016, at 2:00 p.m., shall be vacated and continued to October 21, 2016, at 10:00 a.m., or a date  
13 available as set by this Court; and

14 IT IS FURTHER STIPULATED AND AGREED that pending the district court's decision on  
15 the Withdrawal Motion, the parties shall address appropriate hearing dates and briefing deadlines for  
16 the MSJ and MTDs;

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1 IT IS FURTHER STIPULATED AND AGREED that the Scheduling Conference, currently  
2 scheduled for August 18, 2016 at 2:00 p.m. shall be vacated and continued to October 21, 2016, at  
3 10:00 a.m., or a date available as set by the court.

4 WILSON ELSER MOSKOWITZ EDELMAN  
5 & DICKER LLP

SCHWARTZ FLANSBURG

6 /s/ Jennifer W. Arledge  
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11 Date: August 10, 2016

Date: August 10, 2016

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13 Respectfully submitted by:

14 WILSON ELSER MOSKOWITZ EDELMAN  
15 & DICKER LLP

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