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8 Attorneys for Plaintiff CALNEV PARTNERS, LLC, a Nevada limited liability
9 company

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
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14 CALNEV PARTNERS, LLC, a Nevada
15 limited liability company,

16 Plaintiff

17 v.

18 RESIGHINI RANCHERIA, a federally
19 recognized Indian tribe, and DOES 1-50,
20 Defendants.

Case No.: 2:18-cv-01695-MCE-CKD
**STIPULATION AND ORDER FOR
DISMISSAL WITHOUT
PREJUDICE**

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22 WHEREAS, Defendant RESIGHINI RANCHERIA, a federally recognized
23 Indian tribe ("**Defendant**"), filed a motion to dismiss this action pursuant to Rule
24 12(b)(1) of the Federal Rules of Civil Procedure on November 5, 2018, which is set for
25 hearing on January 10, 2019;

26 WHEREAS, Plaintiff CALNEV PARTNERS, LLC, a Nevada limited liability
27 company ("**Plaintiff**"), and Defendant have agreed that this action be dismissed without
28 prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
2 between Plaintiff and Defendant through their counsels of record that this action be
3 dismissed without prejudice, with each party to bear its own costs and fees related
4 thereto.

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7 Dated: December 20, 2018

INNOVATECH LAW GROUP

8 /s/ Rafael R. Pacquing

9 RAFAEL R. PACQUING

10 Attorneys for Plaintiff

11 CALNEV PARTNERS, LLC

12
13 Dated: December 20, 2018

RAPPORT AND MARSTON

14 /s/ Lester J. Marston

15 LESTER J. MARSTON

16 Attorneys for Defendant

17 RESIGHINI RANCHERIA


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26 **ORDER**

27 Pursuant to the parties' stipulation (ECF No. 23) and Federal Rule of Civil
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1 Procedure 41(a)(1)(A)(ii), this case is DISMISSED without prejudice, each party to
2 bear its own costs and fees. The Clerk of the Court is directed to close this case.

3 IT IS SO ORDERED.

4 Dated: December 30, 2018

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6 MORRISON C. ENGLAND, JR.
7 UNITED STATES DISTRICT JUDGE
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