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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRAN DONOVAN et al.,)
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 Plaintiffs,)
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 vs.)
)
 FLAMINGO PALMS VILLAS, LLC et al.,)
)
 Defendants.)
 _____)

2:08-cv-01675-RCJ-RJJ

ORDER

The present case arises out of an alleged conspiracy to defraud investors in a condominium development in Las Vegas. The Court has already ruled on dozens of dispositive motions. Most recently, the Court denied Defendant David Schwarz’s motion to dismiss the Third Amended Complaint (“TAC”) for failure to state a claim. Several Defendants have now separately moved to dismiss for failure to state a claim. As indicated at the most recent oral argument, the Court is satisfied with the allegations in the TAC and will entertain no more motions to dismiss for failure to state a claim in this three-year-old case. The Court therefore denies the present motion to dismiss.

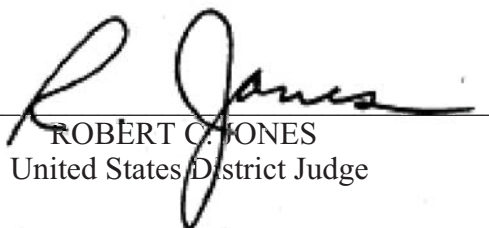
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1 **CONCLUSION**

2 IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 689) is DENIED and
3 the hearing on that motion is VACATED. (The hearing on Motion No. 695 will proceed.)

4 IT IS SO ORDERED.

5 Dated this 6th day of October, 2011.

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8 ROBERT C. JONES
9 United States District Judge
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