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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

2:09-CV-32 JCM (LRL)

VOLVO CONSTRUCTION
EQUIPMENT RENTS, INC.,

Plaintiff,

v.

NRL RENTALS, LLC, et al.,

Defendants.


ORDER

Presently before the court is plaintiff Volvo Construction Equipment Rents, Inc.’s motion for entry of clerk’s default against defendant Jefferson Bank (Doc. #261), filed on March 15, 2010.

On June 22, 2009, plaintiff filed a notice of voluntary dismissal without prejudice against defendant Jefferson Bank (Doc. #78). Therefore, Jefferson Bank is not a party to the action and cannot be in default. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff’s motion for entry of clerk’s default (Doc. #261) be, and the same hereby is, DENIED.

DATED this 30th day of July, 2010.


UNITED STATES DISTRICT JUDGE