

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

ERNESTINE KAHALEKAI, an individual; HERBERT KAHALEKAI, an individual; DARREN DUNG, an individual; BARNEY BRUCKEN, an individual; MICHAEL KAWAIAEA, an individual; MFK UNLIMITED, LLC, a Nevada limited liability company,

Plaintiffs,

vs.

PAULETTE KIMURA-SHIMABUKURO, a.k.a. PAULETTE SHIMABUKURO, an individual; JAIMEE YOSHIZAWA, an individual; GRAND CANYON II LLC, a Nevada limited liability company; JAIMEE YOSHIZAWA INC., d/b/a PACIFIC CONCEPTS, a Nevada corporation,

Defendants.

2:10-CV-1889 PMP-LRL

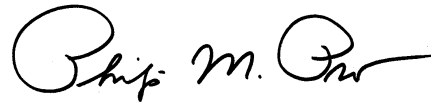
ORDER

Before the Court for consideration is Defendants’ fully briefed Motion to Dismiss Plaintiffs’ Third and Seventh Causes of Action for a Failure to State a Claim Upon Which Relief Can Be Granted (Doc. #7). Specifically, Defendants’ contend that the Plaintiffs’ Third and Seventh Causes of Action fail to allege fraudulent misrepresentation and civil conspiracy with intent to defraud with the requisite particularity.

1 The Court finds that the viability of Plaintiffs' Third and Seventh Causes of
2 Action will undoubtedly be clarified through the discovery process, and the claims as
3 stated are sufficiently pled.

4 **IT IS THEREFORE ORDERED** that Defendants' Motion to Dismiss
5 Plaintiffs' Third and Seventh Causes of Action for a Failure to State a Claim Upon
6 Which Relief Can Be Granted (Doc. #7) is **DENIED**.

7
8 DATED: December 20, 2010.

9 

10 _____
11 PHILIP M. PRO
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26