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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTINE ADAKAI,

Plaintiff,

v.

WAL-MART STORES, INC.; DOES I through
X; and ROE ENTITIES I through X,

Defendants.

Case No.: 2:11-cv-00091-RCJ-LRL

**STIPULATION TO DISMISS WITH
PREJUDICE PLAINTIFF'S PUNITIVE
DAMAGES CLAIM AND TO REMAND
THIS MATTER TO NEVADA STATE
COURT**

COME NOW, Plaintiff CHRISTINE ADAKAI, by and through her attorney of record, DAVID A. TANNER, ESQ. of the TANNER LAW FIRM, and Defendant WAL-MART STORES, INC., by and through its attorney of record, JOHN P. JIMENEZ, ESQ. of PHILLIPS, SPALLAS & ANGSTADT LLC, and, stipulate that Plaintiff's claim for "punitive and/or exemplary damages," as claimed in Paragraphs 15 and 22 of Plaintiff's Complaint, on file herein, be **dismissed with prejudice**. Moreover, presuming that Plaintiff's punitive damages claims are dismissed with prejudice, this Court would lack jurisdiction over this matter pursuant to 28 U.S.C. §1332(a).

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1 Therefore, the parties hereby stipulate, and respectfully request that this Court order, that this
2 matter be **remanded** to Nevada state court.

3 **TANNER LAW FIRM**

PHILLIPS, SPALLAS & ANGSTADT, LLC

4 DATED this 22nd day of February, 2011.

DATED this 22nd day of February, 2011.

5 **TANNER LAW FIRM**

PHILIPS, SPALLAS & ANGSTADT LLC

6 */s/ David A. Tanner*

/s/ John P. Jimenez

7 _____
8 David A. Tanner, Esq.
9 9555 S. Eastern Avenue, Suite #270
10 Las Vegas, Nevada 89123
11 *Attorney for Plaintiff*
12 *Christine Adakai*

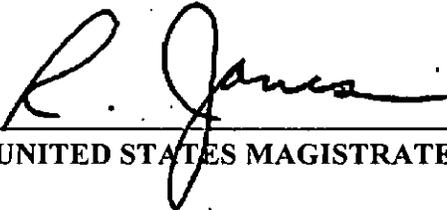
13 John P. Jimenez, Esq.
14 504 South Ninth Street
15 Las Vegas, NV 89101
16 *Attorneys for Defendant*
17 *Wal-Mart Stores, Inc.*

18 **ORDER**

19 **IT IS SO ORDERED**, as stipulated by the parties, that Plaintiff Christine Adakai's claims for
20 "punitive and/or exemplary damages," as claimed in Paragraphs 15 and 22 of Plaintiff's Complaint, on
21 file herein, are hereby **DISMISSED WITH PREJUDICE**.

22 Moreover, it is hereby ordered as stipulated by the parties, that this matter is **REMANDED** to
23 Nevada state court.

24 DATED on this 25th day of February _____, 2011.

25 
26 _____
27 UNITED STATES MAGISTRATE JUDGE
28