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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THE COUNTY OF CLARK, a political subdivision
of the State of Nevada,

Plaintiff,

vs.
LEWIS B. ATKIN, deceased; THE HEIRS AND
DEVISEES OF LEWIS B. ATKIN, deceased;
UNION PACIFIC RAILROAD COMPANY, a
Delaware corporation; and all other persons
unknown claiming any right, title, lien or interest in
the real property described in the Complaint,

Defendants.

CASE NO: 2:12-cv-00648

ORDER

The Court, having reviewed the JOINT MOTION TO DISMISS THE DEFENDANT UNION PACIFIC RAILROAD COMPANY AND TO REMAND ACTION TO THE EIGHTH JUDICIAL DISTRICT COURT, STATE OF NEVADA, and good cause appearing, hereby orders as follows:

1. The Plaintiff's Complaint is hereby dismissed, with prejudice, as to the Defendant Union Pacific Railroad Company only, the Plaintiff and the Defendant Union Pacific Railroad Company to bear their respective attorney fees and costs of suit;

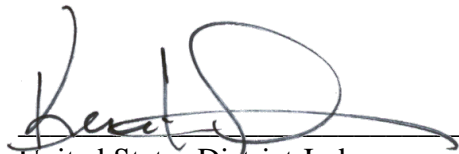
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2. The remaining action is hereby remanded to the Eighth Judicial District Court, Clark County, Nevada, for all further proceedings.

IT IS SO ORDERED.

DATED this 16th day of October, 2013



United States District Judge

Submitted by:

/s/ Erich N. Storm
Erich N. Storm
Nevada Bar No. 4480
1100 Bridger Avenue
Las Vegas, NV 89101
Attorney for Plaintiff

/s/ Debbie Leonard
Debbie Leonard
Nevada Bar No.8260
McDonald Carano Wilson LLP
100 West Liberty St., 10th Floor
Reno, Nevada 89501
Attorney for Defendant
Union Pacific Railroad Company