

1 **SAO**

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11 *Attorneys for Wells Fargo Bank, N.A., successor by merger with*
12 *Wachovia Bank, N.A.*

13
14 IN THE UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 NNN SIENA OFFICE PARK I 2, LLC, a
17 Delaware limited liability company, et al.,

CASE NO.2:12-cv-01524-MMD-PAL

18 Plaintiffs,

19 **STIPULATION AND ORDER FOR**
20 **DISMISSAL OF FOURTH CLAIM FOR**
21 **RELIEF WITH PREJUDICE**

22 vs.

23 WACHOVIA BANK NATIONAL
24 ASSOCIATION, now known as WELLS
25 FARGO BANK, NATIONAL
26 ASSOCIATION, successor by merger, et
27 al.,

28 Defendants.

1 Pursuant to representations made in open court on August 28, 2014, Plaintiffs and
2 Defendant Wachovia Bank National Association, now known as Wells Fargo Bank, National
3 Association, successor by merger, hereby stipulate that the Fourth Claim for Relief in the
4 Complaint (breach of the implied covenant of good faith and fair dealing) may be dismissed with
5 prejudice.

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A proposed form of order is submitted with this Stipulation.

Respectfully submitted this 3rd day of September, 2014.

SNELL & WILMER L.L.P.

By: /s/ Jeffrey Willis
Jeffrey Willis, Esq. (Nevada Bar No. 4797)
3883 Howard Hughes Parkway, Suite 1100
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*Attorneys for Wachovia Bank, N.A., now known as
Wells Fargo Bank, N. A.*

By: /s/ Bart K. Larsen
Bart K. Larsen, Esq.
Kolesar & Leatham
400 S. Rampart Blvd., Suite 400
Las Vegas, NV 89145
Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED.

DATED this 3rd day of September, 2014.



DISTRICT COURT JUDGE

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Respectfully submitted,

SNELL & WILMER L.L.P.

By: /s/Jeffrey Willis

Jeffrey Willis, Esq.
Nevada Bar No. 4797
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, NV 89169
*Attorneys for Wells Fargo Bank, N.A., former
Trustee for the Registered Holders of Wachovia
Bank Commercial Mortgage Trust Pass-Through
Certificates Series 2007-C32, and successor by
merger with Wachovia Bank, N.A.*

CERTIFICATE OF SERVICE

1 I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen
2 (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be
3 served a true and correct copy of the foregoing **STIPULATION FOR DISMISSAL OF**
4 **FOURTH CLAIM FOR RELIEF WITH PREJUDICE** by the method indicated:
5

- 6 U. S. Mail
- 7 U.S. Certified Mail
- 8 Facsimile Transmission
- 9 Federal Express
- 10 Electronic Service

11 and addressed to the following:

12 Randolph L. Howard, Esq.
13 Bart K. Larsen, Esq.
14 Kolesar & Leatham
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17 *Attorneys for Plaintiffs*

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22 *Attorney for Plaintiff Debtors*
23 **(Via U.S. Mail Only)**

24 DATED this 3rd day of September, 2014.

25 Pat Trager
26 An employee of Snell & Wilmer L.L.P.