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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 EDWARD N. SMITH, an individual;
12
13 Plaintiff,

Case No.: 2:15-cv-02207-RFB-PAL

14 v.

**STIPULATION AND ORDER FOR
DISMISSAL OF BMW FINANCIAL
SERVICE N.A., LLC WITH PREJUDICE**

15 U.S. BANK, N.A., a national banking
16 association doing business as ELAN
17 FINANCIAL SERVICES; BMW FINANCIAL
18 SERVICE N.A., LLC, a foreign limited liability
19 company; FRY’S ELECTRONICS, INC. dba
20 FIRST ELECTRONIC BANK, a foreign
21 corporation; EQUIFAX, INC., a foreign
22 corporation; EXPERIAN INFORMATION
23 SOLUTIONS, INC., a foreign corporation;

24 Defendants.

25 Plaintiff, Edward N. Smith, and Defendant BMW Financial Service N.A., LLC (“BMW
26 Financial”) (collectively referred to as “Parties”) stipulate and agree, by and through their
27 respective attorneys of record, and subject to the court’s approval, that pursuant to Rule
28 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the above-captioned matter is hereby
dismissed with

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1 prejudice as to BMW Financial, with each party bearing their own attorneys' fees and costs
2 incurred herein.

3 RESPECTFULLY SUBMITTED.

4 DATED this 17th day of February, 2016.

DATED this 17th day of February, 2016.

5 **LAW OFFICE OF**
6 **KEVIN L. HERNANDEZ**

HOLLAND & HART LLP

7 /s/ Kevin L. Hernandez
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*Attorneys for BMW Financial Service, N.A.,
LLC*

13
14 **ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT BMW FINANCIAL**
15 **SERVICE N.A., LLC**

16 Pursuant to the stipulation of plaintiff and BMW Financial under FRCP 41(a), defendant
17 BMW Financial shall be dismissed with prejudice, and each party shall bear their own attorneys'
18 fees and costs.

19 **IT IS SO ORDERED:**

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21 RICHARD F. BOULWARE, II

22 United States District Judge

23 DATED: February 21, 2016.

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