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9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 VEGAS GAME POINT, LLC, a Nevada
 12 limited liability company,

Case No.: 2:15-CV-02274

Plaintiff,

vs.

JPMORGAN CHASE BANK, N.A, d/b/a
 CHASE BANK, a national association,

Defendant.

14 **STIPULATION FOR DISMISSAL OF NON-UCC CLAIMS AGAINST**
 15 **DEFENDANT JPMORGAN CHASE BANK, N.A. WITHOUT PREJUDICE**

16 Through their respective counsel, Plaintiff Vegas Game Point, LLC and
 17 Defendant JPMorgan Chase Bank, N.A. hereby stipulate and agree that the following
 18 claims set forth in the Complaint filed by Plaintiff Vegas Game Point, LLC on or about
 19 November 5, 2015 shall be dismissed without prejudice:

- 20 • Breach of Contract (First Claim for Relief);
- 21 • Tortious Breach of the Implied Covenant of Good Faith and Fair Dealing
(Second Claim for Relief);
- 22 • Breach of Fiduciary Duty (Third Claim for Relief);
- 23 • Negligence (Fourth Claim for Relief);
- 24 • Fraud (Fifth Claim for Relief); and
- 25 • Preliminary and Permanent Injunction (Sixth Claim for Relief)

26 (collectively, the “non-UCC Claims”).

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1 By way of this Stipulation, the sole claim remaining is Plaintiff's claim alleging Failure
2 to Exercise Ordinary Care as Required under the UCC (the "UCC Claim").¹

3 Defendant's counsel certifies that Plaintiff's counsel has reviewed and approved
4 this Stipulation, and that Plaintiff's counsel has authorized Defendant's counsel to sign
5 and file on his behalf.

6 RESPECTFULLY SUBMITTED this 15th day of January 2016.

7 NEWMAN LAW, LLC

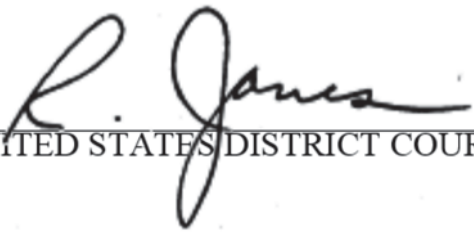
POLI & BALL, P.L.C.

9 By /s/ Richard Newman (with permission) By /s/ Michael N. Poli
10 Richard Newman Michael N. Poli
11 Attorney for Vegas Game Point, LLC Attorneys for JPMorgan Chase Bank, N.A.

12 **ORDER**

13 IT IS SO ORDERED:

16 DATED: February 3, 2016

15 
17 UNITED STATES DISTRICT COURT JUDGE

26 ¹ Although the Complaint identifies it as the Ninth Claim for Relief, it is actually the Seventh Claim for Relief.

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AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, filed in this case:

- Document does not contain the social security number of any person.
- OR -
- Document contains the social security number of a person as required by:
 - A specific state or federal law, to wit:

(State specific state or federal law)
 - or -
 - For the administration of a public program.
 - or -
 - For an application for a federal or state grant.
 - or -
 - Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230, NRS 125B.255)

DATED this 15th day of January 2016.

POLI & BALL, P.L.C.

By /s/ Michael N. Poli
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Las Vegas, Nevada 89101
Attorneys for Defendant
JPMorgan Chase Bank, N.A.

