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19 **UNITED STATES DISTRICT COURT**
 20 **DISTRICT OF NEVADA**

<p>21 TOMMY D. DAVIS,</p> <p>22 Plaintiff,</p> <p>23 v.</p> <p>24 GREEN TREE SERVICING, LLC, WEBBANK, SILVER STATE SCHOOLS CREDIT UNION, CAPITAL ONE AND EQUIFAX INFORMATION SERVICES, LLC,</p> <p>25 Defendants.</p>	<p>26 Case No.: 2:15-cv-02355-JAD-NJK</p> <p>27 Member Case No.: 2:15-cv-02368-JAD-NJK</p> <p>28 STIPULATION OF DISMISSAL WITH PREJUDICE OF DEFENDANT CAPITAL ONE</p> <p>ORDER</p>
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1 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff
2 Tommy D. Davis (“Plaintiff”) and Defendant Capital One (“Defendant”) stipulate
3 to dismiss with prejudice Plaintiff’s claims against Defendant only, in this matter.
4 Each party will bear its own costs, disbursements, and attorney fees.

5 DATED this 1st day of February 2016.

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23 **ORDER**

24 The court **construes this stipulation** to dismiss plaintiff's claims against Capital One Bank
25 with prejudice [ECF 16] as a **joint motion** under Local Rule 7-1(c) because it was signed by
26 fewer than all parties to this case. Good cause appearing, it is **HEREBY ORDERED** that **the**
27 **joint motion [ECF 16] is GRANTED, and all claims against Capital One Bank are**
28 **DISMISSED with prejudice**, each party to bear its own fees and costs. Capital One's motion
to dismiss [ECF 14] is DENIED as moot.

Dated: February 2, 2016.


UNITED STATES DISTRICT JUDGE