

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LHF Productions, Inc., a Nevada corporation,
Plaintiff
v.
Brian Kabala, et al.,
Defendants

2:16-cv-02028-JAD-NJK

Order Dismissing Claims against Brian Kabala and Denying Motion for Default

[ECF Nos. 64, 70]

10 Plaintiff LHF Productions, Inc. moves [ECF No. 70] to dismiss its claims against defendant
11 Brian Kabala without prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure. Good
12 cause appearing, and the court finding that this motion is suitable for disposition without oral
13 argument and that a response is unnecessary,

14 IT IS HEREBY ORDERED that plaintiff's motion for voluntary dismissal [ECF No. 70] is
15 **GRANTED; all claims in this action against Brian Kabala are DISMISSED. Kabala must**
16 **advise this court by August 14 whether he intends to proceed with his counterclaims [ECF No.**
17 **22].**

18 Plaintiff has also moved the Clerk of Court to enter default against Kabala and three
19 additional defendants, Ante Soda, John Koehly, and Donald Plain. ECF No. 64. As to Kabala, the
20 request is mooted by this dismissal. The motion is meritless against the other defendants. Soda and
21 Plain have answered or otherwise responded, *see* ECF No. 18 (Plain’s answer), ECF No. 19 (Soda’s
22 motion to dismiss); and default was already entered against Koehly, *see* ECF No. 46. And it appears
23 from the “Notice of Corrected Image” [ECF No. 65] that the motion was filed “in error and should
24 be disregarded.” Accordingly,

25 IT IS FURTHER ORDERED that plaintiff's motion for default [ECF No. 64] is DENIED.

26 Dated this 26th day of July, 2017.

Jennifer A. Dersey
United States District Judge