1 2	Whitney C. Wilcher, Esq. Nevada Bar No. 7212 Christing M. Emerupleon, Esg.	STEVEN MARZULLO, LTD. STEVEN MARZULLO, ESQ. Nevada Bar No. 2396	
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5	Tel.: (702) 933-7829 Fax: (702) 974-1709	Attorney for Plaintiff	
6	cemanuelson@hineshamptonllp.com	West Coast Mobile Home Parks, Inc.	
7 8	Attorneys for Defendant Scottsdale Insurance Co., Inc.		
9	UNITED STATES DISTRICT COURT		
10	DISTRICT OF NEVADA		
11	WEST COAST MOBILE HOME PARKS,	CASE NO.: 2:16-cv-02183-RFB-CWH	
12	INC., a California corporation,		
13	Plaintiff,	STIPULATION TO DISMISS PLAINTIFF'S THIRD CAUSE OF ACTION FOR BAD FAITH WITHOUT	
14	VS.		
15	SCOTTSDALE INSURANCE COMPANY, INC., and DOES I-V, inclusive, and ROE	PREJUDICE; AND [PROPOSED] ORDER	
16	Companies/ Corporations, VI-X, inclusive,		
17	Defendants.		
18			
19	Plaintiff West Coast Mobile Home Parks, Inc. ("Plaintiff") and Defendant Scottsdale		
20	Insurance Company ("Scottsdale") hereby submit the following stipulation to dismiss Plaintiff's		
21	third cause of action for bad faith without prejudice.		
22	1. Plaintiff's operative complaint on file in this action pleads a total of four causes of		
23	action against Scottsdale: (1) Breach of Insurance Contract – Duty to Defend; (2) Breach of		
24	Insurance Contract – Failure to Indemnify; (3) Breach of Duty of Good Faith and Fair Dealing;		
25	and (4) Declaratory Relief.		
26	2. Plaintiff wishes to dismiss without prejudice the third cause of action in its		
27	complaint against Scottsdale for breach of the duty of good faith and fair dealing. Scottsdale		
28	agrees to the dismissal of that claim.		
	511PULATION TO DISMISS PLAINTIFF'S	BAD FAITH CLAIM WITHOUT PREJUDICE Dockets.Jus	

1	3. Therefore, the parties stipulate and agree that Plaintiff's third cause of action in its		
2	complaint against Scottsdale for breach of the duty of good faith and fair dealing shall be		
3	dismissed without prejudice, and request an Order from the Court affirming such dismissal.		
4	4. Each party shall bear its own costs with respect to the dismissal of Plaintiff's third		
5	cause of action.		
6			
7			
8			IT IS SO ORDERED:
9			R
10			RICHARD F. BOULWARE, II
11			United States District Judge
12			DATED: June 1, 2017.
13			
14			
15	Dated: May 26,	2017	STEVEN MARZULLO, LTD.
16			,
17		By:	<u>/s/ Steven Marzullo</u>
18 19			Steven Marzullo, Esq. Attorney for Plaintiff WEST COAST
20			MOBILE HOME PARKS, INC.
20			
22	Dated: May 26,	2017	HINES HAMPTON LLP
23		By:	/s/ Christine Emanuelson
24		By.	Whitney C. Wilcher
25			Christine Emanuelson Attorneys for Defendant SCOTTSDALE
26			INSURANCE COMPANY
27			
28			
	STIPULATION TO DISMISS PLAINTIFF'S BAD FAITH CLAIM WITHOUT PREJUDICE		

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2017, I electronically filed the foregoing document or paper with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List below.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 26, 2017.

toute thinks

Ayvette Hernandez

Electronic Notice List

Steven Marzullo steven@stevenmarzullo.com