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7 Attorneys for Defendant,
 8 CAPITAL ONE BANK (USA), N.A.,
 9 Erroneously Named As “Capital One Bank, N.A.”,

10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA – LAS VEGAS**

12 CATHERINE LILLY,
 13 Plaintiff,
 14 v.
 15 CAPITAL ONE BANK, N.A.,
 16 Defendant.

Case No. 2:16-cv-02668-JCM-GW

**STIPULATION OF DISMISSAL
 OF CAPITAL ONE BANK (USA),
 N.A. PURSUANT TO FRCP
 41(a)(1)(A)(ii);
 ORDER**

Complaint Filed: November 19,
 2016, 2016
 Trial Date: TBA

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1 PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure
2 41(a)(1)(A)(ii), the parties have stipulated to the dismissal of Defendant Capital One
3 Bank (USA), N.A., erroneously named as “Capital One” (“Capital One”), from the
4 above captioned action, without prejudice. Each party will bear its own fees and costs.

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6 Dated: October 4, 2017


7 Respectfully submitted,

<p>8 /s/ David H. Krieger, LLC 9 David H. Krieger, Esq. 10 Nevada Bar No. 9086 11 HAINES & KRIEGER, LLC 12 8985 S. Eastern Avenue 13 Suite 350 14 Henderson, NV 89123 15 Email: dkrieger@hainesandkrieger.com 16 17 Counsel for Plaintiff</p>	<p>/s/ Brandon Claus Fernald Brandon Claus Fernald, Esq. Nevada Bar No. 10582 FERNALD LAW GROUP LLP 6236 Laredo Street Las Vegas, NV 89146 Email: brandon.fernalld@fernalldlawgroup.com Counsel for Defendant Capital One Bank, N.A.</p>
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18 Lilly v. Capital One Bank, N.A., et al
19 2:16-cv-02852-APG-GWF

20 **ORDER**

21 **IT IS SO ORDERED**

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UNITED STATES DISTRICT JUDGE

25 DATED 10/5/2017