

1 States District Court for the District of Nevada.

2 The Court has conducted its *de novo* review in this case, has fully considered the objections
3 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record
4 pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the
5 Magistrate Judge's Report and Recommendation (#85) entered on August 26, 2010, should be adopted
6 and accepted.

7 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
8 (#85) entered on August 26, 2010, is adopted and accepted, and Defendant's Motion for Summary
9 Judgment (#74) is GRANTED IN PART and DENIED IN PART, and that plaintiff's remaining claim
10 for breach of contract is DISMISSED for lack of jurisdiction

11 IT IS THEREFORE FURTHER ORDERED that Plaintiff's Motion for Summary Judgment,
12 or in the Alternative Partial Summary Judgment (#75) is DENIED.

13 IT IS SO ORDERED.

14 DATED this 29th day of October, 2010.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE