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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DIANE VAN ORDEN,  
Plaintiff,  
v.  
FRED LUND, WARREN CONLEY, and EARL  
S. NIELSEN, Ph.D.,  
Defendants.

CASE NO. 3:10-cv-00358-RCJ-RAM  
**ORDER DISMISSING  
ACTION IN ITS ENTIRETY WITH  
PREJUDICE**

On November 15, 2010, the following Motions came on for hearing before the Honorable Robert C. Jones: (1) Defendant Earl Nielsen's Motion to Dismiss Plaintiff's Complaint with Prejudice; (2) Defendants Fred Lund and Warren Conley's Motion to Quash Service of Process; (3) Defendants Fred Lund and Warren Conley's Motion to Dismiss Plaintiff's Complaint; (4) Plaintiff Diane Van Orden's Motion to Seal; and (5) Plaintiff Diane Van Orden's Motion to Amend/Correct the Complaint.

Josh Cole Aicklen of Lewis, Brisbois, Bisgaard & Smith, LLP, appeared on behalf of Defendant Earl Nielsen. Frank H. Roberts appeared on behalf of Defendants Fred Lund and Warren Conley. There was no appearance by the Plaintiff, Diane Van Orden.

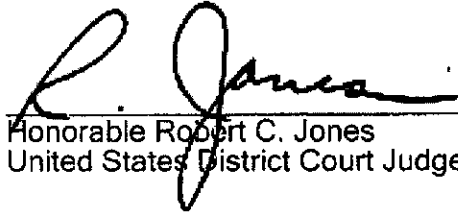
After due consideration of the moving papers, responses and replies, and following the argument of counsel, the Court rules as follows:

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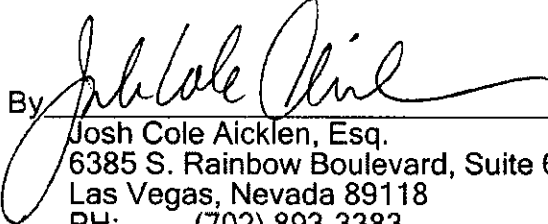
The Court finds there is no federal subject matter jurisdiction pursuant to 28 U.S.C. §1331, and therefore the matter is dismissed in its entirety with prejudice.

IT IS SO ORDERED.

Dated this 29th day of November, 2010.

  
\_\_\_\_\_  
Honorable Robert C. Jones  
United States District Court Judge

Respectfully Submitted by:  
LEWIS BRISBOIS BISGAARD & SMITH LLP

By   
\_\_\_\_\_  
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