

FILED

MAR 24 2008

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT R. FOULON,

Plaintiff - Appellant,

v.

KLAYMAN & TOSKES PA, a foreign
corporation,

Defendant - Appellee.

No. 05-35383

D.C. No. CV-04-02555-JCC

ORDER

Appeal from the United States District Court
for the Western District of Washington
John C. Coughenour, Chief District Judge, Presiding

KOZINSKI, Chief Judge, **REINHARDT**, **KLEINFELD**, **HAWKINS**,
GRABER, **WARDLAW**, **GOULD**, **PAEZ**, **RAWLINSON**, **M. SMITH**,
IKUTA, Circuit Judges:

The parties' motion to dismiss is granted. The appeal is dismissed with
prejudice, each party to bear its own costs.

COUNSEL

Carl J. Carlson, Carlson & Dennett, P.S., for the Plaintiff-Appellant.

William R. Kiendl, Lee, Smart, Cook, Martin & Patterson, P.S., Inc., for the Defendant-Appellee.