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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

JENNA MASSOLI p/k/a JENNA MASSOLI, Plaintiff, vs. "REGAN MEDIA," and JUDITH REGAN, an individual, Defendants.	No. CV 05-0854 PHX EHC **STIPULATION TO VACATE OCTOBER 3, 2005 ORAL ARGUMENT** (Assigned to the Honorable Earl H. Carroll)
REGAN MEDIA, INC., a New York corporation, and JUDITH REGAN, an individual, Defendants/Counterclaimants, vs. JENNA MASSOLI p/k/a JENNA MASSOLI, an individual, Plaintiff/Counterdefendant, and JAY GRDINA, an individual, Third-Party Counterdefendant.	

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Defendants/Counterclaimants Regan Media, Inc. and Judith Regan (collectively, "Regan") and Plaintiff/Counterdefendants Jenna Massoli and Jay Grdina (collectively, "Massoli") stipulate and agree that the oral argument currently scheduled for October 3, 2005 on Plaintiff/Counterdefendants' Rule 56(f) Motion should be vacated. This Stipulation is based on the following circumstances. On September 9, 2005, Regan moved to amend its Counterclaim, and Massoli has not objected to that Motion. Assuming the Court grants the Motion to Amend and Regan is permitted to file and serve its Amended Counterclaim, Regan intends to withdraw its pending Rule 12(c) Motion for Judgment on the Pleadings, and Massoli's Rule 56(f) Motion will then become moot. Under the circumstances, it serves neither judicial economy nor the parties' interests to proceed with the hearing on October 3, 2005.

Respectfully submitted this 28th day of September, 2005.

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2005, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electric Filing to the following CM/ECF Registrants:

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I hereby certify that on the 28th day of September, 2005, I served the attached document by mail on the following, who are not registered participants of the CM/ECF System:

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