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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Michael R. Robinson, MSW

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No. CV-06-1946-PHX-LOA

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Plaintiff,

)

**NOTICE OF ASSIGNMENT
AND ORDER**

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vs.

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Centene Corporation/Nursewise; Shannon
M. Anderson, Human Resources Manager,
12 John and Jane Does 1-50; Debra Rinaudo,
Executive Director, State of Arizona)
13 Board of Behavioral Health Examiners,
Amy Shelton, Dep. Dir., Cedric Davis, Bd.)
14 Chair, Steve Legendre, Bd. Member, Jose
Herrera, Bd. Member, Ruth Lee, Bd.)
15 Member, Sharon "Del" Worley, Bd.)
Member, Dan Wright, Bd. Member, Laura)
16 Waterman, Bd. Member,

)

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Defendants.

)

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Pursuant to Local Rule 3.8(a), LRCiv, Rules of Practice, effective December
19 1, 2005, all civil cases are, and will be, randomly assigned to a U.S. district judge or to a U.S.
20 magistrate judge. This matter has been assigned to the undersigned U.S. Magistrate Judge.

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As a result of the aforesaid Local Rule and assignment, if all parties consent
22 in writing, the case will remain with the assigned Magistrate Judge pursuant to 28 U.S.C.
23 636(c)(1) for all purposes, including trial and final entry of judgment. If any party chooses
24 the district judge option, the case will be randomly reassigned to a U.S. district judge. To
25 either consent to the assigned magistrate judge or to elect to have the case heard before a
26 district judge, the appropriate section of the form, entitled Consent To Exercise Of
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1 Jurisdiction By United States Magistrate Judge¹, must be completed, signed and filed. The
2 party filing the case or removing it to this Court is responsible for serving all parties with the
3 consent forms. Each party must file a completed consent form and certificate of service with
4 the Clerk of the Court not later than 20 days after entry of appearance, and must serve a copy
5 by mail or hand delivery upon all parties of record in the case.

6 Any party is free to withhold consent to magistrate judge jurisdiction without
7 adverse consequences. 28 U.S.C. 636(c)(2); Rule 73(b), Fed.R.Civ.P.; Anderson v.
8 Woodcreek Venture Ltd., 351 F.3d 911, 913-14 (9th Cir. 2003) (pointing out that consent is
9 the "touchstone of magistrate [judge] jurisdiction" under 28 U.S.C. §636(c).

10 A review of the Court's file indicates that Plaintiff's Complaint was filed on
11 August 9, 2006. Plaintiff shall have until September 5, 2006 within which to make his
12 selection to either consent to magistrate judge jurisdiction or elect to proceed before a United
13 States district judge. It is unknown if a copy of the appropriate consent form mailed to
14 Plaintiff by the office of the Clerk of he Court on August 11, 2006, was served with the
15 Complaint per the written instructions from the Clerk.

16 Accordingly,

17 **IT IS ORDERED** that Plaintiff shall file on or before **September 5, 2006** his
18 written election to either consent to magistrate judge jurisdiction or elect to proceed before
19 a United States district judge.

20 **IT IS FURTHER ORDERED** that Plaintiff shall serve upon the Defendants
21 the appropriate consent form provided at the time of the filing of his Complaint at the time
22 of service of his Complaint upon the Defendants.

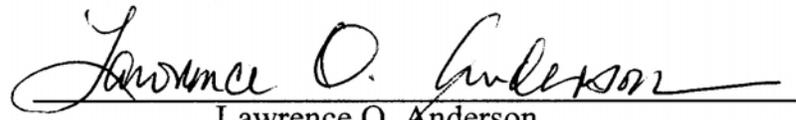
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24
25 _____
26 ¹The consent/election form may be obtained directly from the Clerk of the Court or
27 by accessing the District of Arizona's web site at www.azd.uscourts.gov. To find the
28 consent/election form on the District's web site, click on "Local Rules" at the top of the page,
then click on "Forms" on the left side of the page and then click on and print the appropriate
form.

1 **IT IS FURTHER ORDERED** that Defendants, and each of them, shall either
2 consent to magistrate judge jurisdiction or elect to proceed before a district judge within
3 twenty (20) days of each Defendant's formal appearance herein.

4 **IT IS FURTHER ORDERED** that counsel and any party, if unrepresented,
5 shall hereinafter comply with the Rules of Practice for the United States District Court for
6 the District of Arizona, as amended on December 1, 2005. The District's Rules of Practice
7 may be found on the District Court's internet web page at www.azd.uscourts.gov/.

8 All other rules may be found as www.uscourts.gov/rules/. The fact that a party is acting pro
9 se does not discharge this party's duties to "abide by the rules of the court in which he
10 litigates." Carter v. Commissioner of Internal Revenue, 784 F.2d 1006, 1008 (9th Cir. 1986).

11 DATED this 16th day of August, 2006.

12 
13 Lawrence O. Anderson
14 United States Magistrate Judge