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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

KB Home Phoenix, Inc.,
Plaintiff,
vs.
Owners Insurance Company,
Defendant.

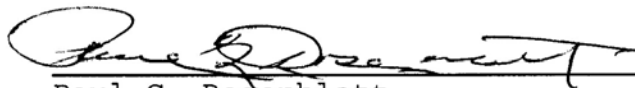
No. CV-07-1257-PHX-PGR

ORDER

The parties having filed a Stipulation for Dismissal With Prejudice (doc. #35) which is sufficient to automatically effectuate the dismissal of this action with prejudice pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii) without the necessity of a court order, Eitel v. McCool, 782 F.2d 1470, 1472-73 and n.4 (9th Cir. 1986),

IT IS ORDERED that the Clerk of the Court shall terminate this action.

DATED this 8th day of October, 2008.



Paul G. Rosenblatt
United States District Judge