

1 **WO**

2

3

4

5

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

6

7

8

JOHN H. VELA,

No. CV 08-0540-PHX-SMM

9

Plaintiff,

**ORDER**

10

v.

11

12

AMERICAN FAMILY MUTUAL  
INSURANCE CO.,

13

Defendant.

14

15

Before the Court is the parties Stipulation for Dismissal of Claims with Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1) (Doc. 33). Having considered the Stipulation and good cause appearing,

16

17

18

**IT IS HEREBY ORDERED** that the matter is dismissed with prejudice, each side to bear its own attorneys' fees and costs.

19

20

**IT IS FURTHER ORDERED VACATING** the status hearing scheduled for Monday, March 2, 2009 at 3:00 p.m.

21

22

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

23

DATED this 12<sup>th</sup> day of February, 2009.

24

25



26

Stephen M. McNamee  
United States District Judge

27

28