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REFERENCE: CR 5.4
(CR 5.4)

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

JOHN ANTHONY PIEROG,
Plaintiff

v.

CAPTAIN BROWN,
Defendant

Case No. CV05-2622-PCT-MHM (JRI)

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Plaintiff submitted a Response to Defendant's Motion for Summary Judgment on May 25, 2007.

Subsequent to the above response submittal, Plaintiff received a Court Order (#56) which details the requirements for a complete and appropriate response to such a motion and sets the deadline for Plaintiff's response as July 19, 2007.

Plaintiff, after reviewing Court Order (#56), desires to withdraw his May 25 Response to Defendant's Motion for Summary Judgment, in order to prepare and submit a more complete and appropriate response in conformance with the requirements of Rule 56, Federal Rules of Civil Procedure by the July 19 deadline date.

Submitted this 25th day of May, 2007.

By: John A. Pierog
Plaintiff

Copy of the foregoing mailed
this 25th day of May, 2007, to:

John T. Masterson
Jones, Skelton & Hochuli, P.L.C.
2901 North Central Avenue, Suite 800
Phoenix, AZ 85012
Attn: Jennifer L. Holsman

By: John A. Pierog
Plaintiff