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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Steve Hillis and Diane Hillis, husband
and wife,

No. CV-09-0073-PHX-DGC

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Plaintiffs,

ORDER

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vs.

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Ronald E. Heineman and Barbara L.
Heineman, husband and wife; Barbara L.
Heineman, Trustee of the Year 2002
Revocable Trust Dated August 16, 2002;
and Gregory Bartko,

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Defendants.

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Ronald E. Heineman and Barbara L.
Heineman, husband and wife; and
Gregory Bartko,

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Counter-Plaintiffs and
Third-Party Plaintiffs,

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vs.

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Steve Hillis and Diane Hillis, husband
and wife; and John Raymond Fox,

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Counter-Defendants and
Third-Party Defendant.

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On July 23, 2009, the Court issued an order dismissing the complaint without
prejudice. Dkt. #85. Plaintiffs have filed a motion for reconsideration of that order pursuant
to Rule 7.2(g) of the Court's Local Rules of Civil Procedure. Dkt. #87. Plaintiffs also have

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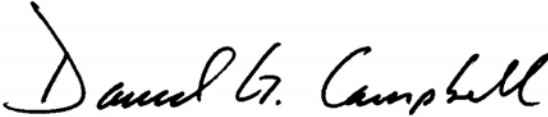
1 filed a motion to amend findings of fact and for a new trial pursuant to Rules 52 and 59 of
2 the Federal Rules of Civil Procedure. Dkt. #88. The Court made no findings of fact in the
3 order of dismissal, and no trial has occurred in this case. The Court will therefore deny
4 Plaintiffs' motion to amend findings and for a new trial.

5 Defendants have filed a motion for extension of time to respond to Plaintiffs' motions.
6 Dkt. #89. The motion is moot with respect to Plaintiffs' motion to amend findings and for
7 a new trial. The Court concludes that no response is necessary with respect to the motion for
8 reconsideration. *See* LRCiv 7.2(g)(2) (no response to a motion for reconsideration may be
9 filed absent leave of court). Defendants' motion for extension of time will be denied.

10 **IT IS ORDERED:**

- 11 1. Plaintiffs' motion to amend findings and for a new trial (Dkt. #88) is **denied**.
- 12 2. Defendants' motion for extension of time (Dkt. #89) is **denied**.
- 13 3. Defendants shall not file a response to the motion for reconsideration.

14 DATED this 18th day of August, 2009.

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19 David G. Campbell
20 United States District Judge
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