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2 NOT FOR PUBLICATION

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Diana Okabayashi,

10 Plaintiff,

11 v.

12 Travelers Home and Marine Insurance
13 Company,

14 Defendant.

No. CV-17-03612-PHX-DJH

ORDER

15 Before the Court is the parties' Joint Motion for Entry of Form of Judgment
16 (Doc. 43). On March 6, 2019, the Court granted Defendant's Motion for Summary
17 Judgment (Doc. 40). Also on March 6, 2019, the Court entered a Clerk's Judgment,
18 ordering that "judgment is entered in favor of defendants and against plaintiff. Plaintiff to
19 take nothing, and the complaint and action are dismissed with prejudice." (Doc. 41). On
20 March 11, 2019, Defendant filed a Bill of Costs. (Doc. 42).

21 In their Joint Motion for Entry of Form of Judgment, the parties provide that they
22 have reached an agreement that Defendant shall not seek costs, even though judgment was
23 entered in favor of Defendant. (Doc. 43). The parties therefore request to withdraw
24 Defendant's Bill of Costs (Doc. 42) and that the Court amend the Clerk's Judgment (Doc.
25 41) to reflect the parties' agreement that both Plaintiff and Defendant will take nothing.
26 (*Id.*)

27 Accordingly,

28 **IT IS ORDERED** that parties' Joint Motion for Entry of Form of Judgment


1 (Doc. 43) is **GRANTED**;

2 **IT IS FURTHER ORDERED** that Defendant's Bill of Costs (Doc. 42) is
3 withdrawn; and

4 **IT IS FINALLY ORDERED** directing the Clerk of the Court to enter an Amended
5 Clerk's Judgment as follows: "**IT IS ORDERED AND ADJUDGED** that pursuant to the
6 Court's Order granting Defendant's Motion for Summary Judgment filed on March 6, 2019
7 (Doc. 40), judgment is entered in favor of Defendant and against Plaintiff. **IT IS**
8 **FURTHER ORDERED** that Plaintiff and Defendant to take nothing, and the action is
9 hereby terminated."

10 Dated this 26th day of March, 2019.

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Honorable Diane J. Humetewa
United States District Judge