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

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10 Fernando Gastelum,

No. CV-18-00901-PHX-ESW

11 Plaintiff,

**ORDER**

12 v.

13 OM Hotels LP,

14 Defendant.

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Pursuant to the Court’s Order (Doc. 25) filed September 30, 2018, Plaintiff having failed to (i) have substitute counsel file a notice of appearance and Reply, or (ii) advise the Court of his address and phone number and file a pro se Reply,

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**IT IS ORDERED** striking Plaintiff’s Motion for Partial Summary Judgment (Doc. 22).

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The Court having considered Defendant’s Motion to Dismiss Case with Prejudice (Doc. 26) and all attachments thereto which reflect that the parties have (i) settled all issues in this case and (ii) agreed that the case be dismissed with prejudice,

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**IT IS FURTHER ORDERED** granting Defendant’s Motion to Dismiss Case with Prejudice (Doc. 26).

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**IT IS FURTHER ORDERED** dismissing Plaintiff’s Complaint (Doc. 1) with

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prejudice, all parties to bear his/its own attorneys' fees and costs. The Clerk of Court shall terminate the case.

Dated this 2nd day of November, 2018.



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Honorable Eileen S. Willett  
United States Magistrate Judge