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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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Jennifer Boswell, et al.,

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No. CV 05-427 PCT NVW

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Plaintiffs,

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**ORDER**

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vs.

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Cliff Castle Casino, et al.,

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Defendants.

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Before the court are Plaintiffs' Motion to Set Aside the Judgment of Dismissal Under FRCP 59 & 60 (doc. # 26), the Response (doc. # 28), and the Reply (doc. # 29). Plaintiffs' counsel has demonstrated that he did not receive the Motion to Dismiss (doc. # 29) filed August 5, 2005. Plaintiffs' motion will therefore be granted.

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IT IS THEREFORE ORDERED that Plaintiffs' Motion to Set Aside the Judgment of Dismissal Under FRCP 59 & 60 (doc. # 26) is granted.

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IT IS FURTHER ORDERED that the judgment entered October 11, 2005 (doc. # 25) is vacated and this action is reinstated.

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IT IS FURTHER ORDERED that Plaintiffs' Response to the Motion to Dismiss (doc. # 30) and Errata (doc. # 31) are deemed filed this day, and Defendants shall respond within 15 days of this order.

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DATED this 16<sup>th</sup> day of November 2005.

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Neil V. Wake  
United States District Judge