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

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Rafael Carrisoza Rivera,

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No. CV 07-8043-PCT-SMM (MHB)

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Plaintiff,

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ORDER

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vs.

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Darla Elliot, et al.,

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Defendants.

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The Court having received the Stipulation for Dismissal filed by the parties (Dkt.

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IT IS HEREBY ORDERED that the above-captioned action is dismissed with

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prejudice as to Defendant Darla Elliott, each party to bear its own costs and fees,

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including attorneys' fees.

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IT IS FURTHER ORDERED that the pending Motion for Summary Judgment

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by Defendant Darla Elliott (Dkt. 68) is hereby **VACATED**.

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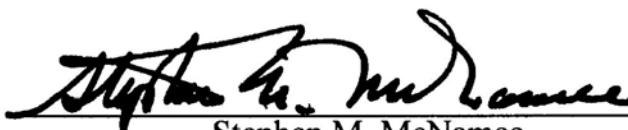
IT IS FURTHER ORDERED that the Clerk of Court shall terminate this action.

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DATED this 23rd day of October, 2008.

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Stephen M. McNamee
United States District Judge

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