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1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 **DISTRICT OF ARIZONA** 10 MARTIN H. ESCOBAR, No. CV10-00249-TUC-SRB 11 Plaintiff, ORDER 12 VS. JAN BREWER, Governor of the State of Arizona, in her Official and Individual Capacity; THE CITY OF TUCSON, a municipal corporation, 13 14 15 Defendants. 16 17 THE CITY OF TUCSON, a municipal corporation, 18 **Cross-plaintiff**, 19 VS. 20 THE STATE OF ARIZONA, a body 21 politic; and JAN BREWER, in her capacity as Governor of the State 22 of Arizona, 23 Cross-defendants. 24 25 26 27 {A0030060.DOC/} 1

The Court having reviewed Defendant City of Tucson's Response to Order to Show Cause and Defendant having requested dismissal of its cross-claim without prejudice; IT IS ORDERED dismissing the cross-claim filed by the City of Tucson without prejudice. Dated this 16th day of September, 2010. United States District Judge

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