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6 Attorneys for Defendant  
 7 ICELANDAIR

8 UNITED STATES DISTRICT COURT  
 9 CENTRAL DISTRICT OF CALIFORNIA

<p>10 ELIN PHIFER,          11 Plaintiff,          12 v.          13 ICELANDAIR, ICELANDAIR          14 NORTHAMERICA, and DOES 1          through 10 inclusive,          15 Defendants</p>	<p>) Case No: 2:08-cv-06561-ODW-CW          ) JUDGMENT          )          ) Hearing Date: October 5, 2009          ) Pretrial Conference: November 9, 2009          ) Trial Date: December 1, 2009          ) Time: 1:30 p.m.          ) Place: Courtroom 11          )</p>
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 18 TO ALL PARTIES AND THEIR COUNSEL OF RECORD HEREIN:

19 Having considered Defendant's motion for summary judgment and  
 20 supporting papers, Plaintiff's opposition brief and supporting papers, as well as all  
 21 submissions on file with the Court, the Court finds as follows:

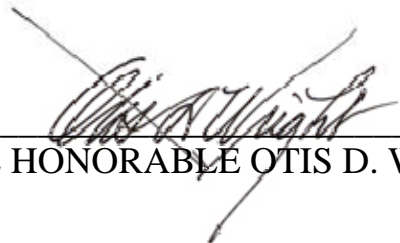
- 22 1. The Convention for the Unification of Certain Rules for International  
 23 Carriage by Air, May 28, 1999, a treaty of The United States commonly  
 24 known as the Montreal Convention, exclusively governs the rights and  
 25 liabilities of the parties to this lawsuit; and,
- 26 2. Plaintiff's alleged injuries were not caused by an "accident" under  
 27 Article 17 of the Montreal Convention and, therefore, defendant  
 28 Icelandair is not liable to plaintiff for her alleged injuries.

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Accordingly, Defendant Icelandair's Motion for Summary Judgment is granted in its entirety, and Plaintiff's Complaint is hereby dismissed with prejudice.

Dated: \_\_\_\_\_ October 29, 2009



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THE HONORABLE OTIS D. WRIGHT, II

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