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 8 **UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA
 9 **WESTERN DIVISION**

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 11 DAVID V HORNER,) Case No.: CV 13-412 MRW
 12)
 Plaintiff,) ~~PROPOSED~~ ORDER OF
 13) DISMISSAL
 vs.)
 14 CAROLYN W. COLVIN,¹ Acting)
 Commissioner of Social Security,)
 15)
 16 Defendant.)
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18 The above captioned matter is dismissed with prejudice, each party to bear
 19 its own fees, costs, and expenses.
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 23 ¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on
 24 February 14, 2013. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil
 25 Procedure, Carolyn W. Colvin should be substituted, therefore, for Commissioner
 26 Michael J. Astrue as Defendant in this suit. No further action need be taken to
 continue this suit by reason of the last sentence of section 205(g) of the Social
 Security Act, 42 U.S.C. § 405(g).

1 IT IS SO ORDERED.

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3 DATE: August 21, 2013



4 THE HONORABLE MICHAEL R. WILNER
5 UNITED STATES MAGISTRATE JUDGE

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