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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

BOBBY GONZALEZ, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 MICHAEL J. ASTRUE, Commissioner, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

1:08-cv-106 GSA

ORDER DISMISSING ACTION

Pursuant to the parties' stipulation filed on January 26, 2009, this action is  
DISMISSED without prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil  
Procedure. Each party shall bear its own costs and expenses, including, but not limited to  
attorney's fees.

IT IS SO ORDERED.

**Dated: January 27, 2009**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE