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

ROGER D. PRICE,)
)
 Plaintiff,)
)
 vs.)
)
 MICHAEL J. ASTRUE, Commissioner,)
)
 Defendant.)
 _____)

1:08-cv-1079 GSA

ORDER DISMISSING ACTION

Pursuant to the parties' stipulation filed on January 9, 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 15, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE