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

GEORGE I. JOHNSON,

Plaintiff,

No. CIV S-07-1826 MCE KJM P

vs.

D.K. SISTO, et al.,

Defendants.

ORDER

_____ /

This case settled on April 13, 2010. On September 21, 2010, plaintiff filed a notice that he had not received the agreed-upon amount. Defendants filed an opposition to plaintiff's request to set aside the settlement, noting that the settlement could not be paid until the state adopted the budget. The court does not find that the state's delay in satisfying the settlement justifies setting the agreement aside.

On September 29, 2010, in compliance with this court's order, defendants filed the stipulation of dismissal with prejudice signed by both parties.

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IT IS THEREFORE ORDERED that:

1. Plaintiff's motion to set aside the settlement agreement (docket no. 66) is denied; and
2. This case is dismissed with prejudice on the parties' stipulation.

DATED: November 18, 2010.



U.S. MAGISTRATE JUDGE

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