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6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**
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9 KENNETH WEBERG,

10 Plaintiff,

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15 vs.
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20 THE UNITED STATES OF AMERICA, et
21 al.,

22 Defendant.
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CASE NO. 09cv0277-MMA(BGS)

ORDER:

**GRANTING JOINT MOTION FOR
DISMISSAL OF CERTAIN
DEFENDANTS WITH
PREJUDICE;**

[Doc. No. 72]

**GRANTING JOINT MOTION FOR
DISMISSAL OF HUGO LEON
WITH PREJUDICE;**

[Doc No. 75]

**DENYING DEFENDANT
ANTONIO ARELLANO'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT AS
MOOT;**

[Doc. No. 68]

**DENYING DEFENDANT HUGO
LEON'S MOTION FOR
SUMMARY JUDGMENT
AS MOOT;**

[Doc. No. 57]

**VACATING ALL HEARING
DATES AND DEADLINES**

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1 On October 3, 2011, Plaintiff Kenneth Weberg and Defendants United States, Ronald
2 Findley, James Williams, Jose Petris, Antonio Arellano, and Hugo Leon (collectively, the
3 “parties”) filed a notice of voluntary dismissal of certain defendants pursuant to Federal Rule of
4 Civil Procedure 41(a)(1), requesting the Court to dismiss Defendants Ronald Findley, James
5 Williams, Jose Petris and Antonio Arellano, with prejudice. [Doc. No. 72.] On the same day,
6 Defendant United States filed a notice of settlement, and requested the Court vacate all remaining
7 dates on the Court’s calendar to allow the parties ninety days to file dispositional documents. [Doc
8 No. 73.] On October 4, the parties also filed a joint motion to dismiss Hugo Leon with prejudice,
9 pursuant to Federal Rule of Civil Procedure 41(a)(1). [Doc. No. 75.] The parties’ joint motions
10 affect Defendants Hugo Leon’s and Antonio Arellano’s motions for summary judgment, filed on
11 August 24, 2011 and September 9, 2011, respectively.

12 Having considered the parties’ joint motions, and good cause appearing, the Court hereby
13 **GRANTS** (1) the parties’ joint motion for dismissal of Defendants Ronald Findley, James
14 Williams, Jose Petris and Antonio Arellano [Doc No. 72], and (2) the parties’ joint motion for
15 dismissal of Hugo Leon. [Doc. No. 75.] Accordingly, the Court **ORDERS** as follows:

16 1. Plaintiff’s action against Defendants Ronald Findley, James Williams, Jose Petris,
17 Antonio Arellano and Hugo Leon is **DISMISSED WITH PREJUDICE**.

18 2. Defendant Hugo Leon’s motion for summary judgment [Doc. No. 57] is **DENIED**
19 **AS MOOT**.

20 3. Defendant Antonio Arellano’s motion for partial summary judgment [Doc. No. 68]
21 is **DENIED AS MOOT**.

22 4. All remaining hearing dates and deadlines for the above-captioned action are
23 **VACATED**. The remaining parties shall file a joint motion to dismiss within ninety days of this
24 Order. If a request for dismissal is not filed, the vacated deadlines shall be reset.

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IT IS SO ORDERED.

DATED: October 5, 2011

A handwritten signature in cursive script, reading "Michael M. Anello", written in black ink.

Hon. Michael M. Anello
United States District Judge