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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

U-HAUL INTERNATIONAL, INC., *et al.*,
Plaintiffs,
v.
UNITED STATES OF AMERICA, *et al.*,
Defendants.

Case No. 2:08-CV-00729-KJD-PAL

ORDER

Before the Court is Plaintiff’s Motion for District Judge to Reconsider Order Denying Motion to Strike Answer (#109). The Government filed a response (#118).

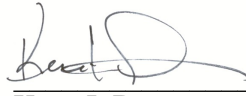
In this motion, Plaintiff seeks reconsideration of Magistrate Judge Peggy Leen’s Order (#106) denying Plaintiff’s Motion to Strike (#80). In the Motion to Strike, Plaintiff argued that the Government’s answer to the complaint should be stricken and liability entered in favor of Plaintiff based on alleged destruction of evidence by the Government after the lawsuit was filed. Judge Leen denied the Motion, ruling that the requested sanction was too harsh and failed to meet the applicable legal standard for dispositive sanctions.

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On January 30, 2013, the Court entered an Order (#140) dismissing the Government from this action based on a the stipulation of the parties arising out of a settlement agreement. Because the Government is no longer a party to this case, Plaintiff's Motion is moot.

IT IS HEREBY ORDERED that the Motion for District Judge to Reconsider Order Denying Motion to Strike Answer (#109) is **DENIED** as moot.

DATED this 22nd day of February 2013.



Kent J. Dawson
United States District Judge