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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

SHANNON BRADLEY, individually and as
Personal Representative of the Estate of
RICHARD WILLIAMS, deceased, SEAN
WILLIAMS and PATRICK WILLIAMS,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 2:12-cv-01526 -APG-GWF

**ORDER REOPENING CASE AND
RESCINDING ORDER DISMISSING
CASE [DKT #26]**

On May 21, 2013, the Court entered its Order Dismissing Case Without Prejudice [Dkt. #26]. That Order was based upon Defendants' Motion to Dismiss [Dkt. #15] filed November 16, 2012. Subsequent to entry of the Order dismissing this case, Plaintiffs filed a Motion to Reopen Case [Dkt. #28]. That Motion points out that, after the Motion to Dismiss [Dkt. #15] had been fully briefed, Plaintiffs filed a companion case (2:13-cv-250) alleging the same facts set forth in the Complaint in this case, but attaching the requisite Affidavit that had been missing from the first Complaint. The second-filed case (2:12-cv-0250) was consolidated into this case on March 5, 2013, and the second-filed case was closed.

Plaintiffs contend that the consolidation of the second-filed Complaint into this case cures the defects in the original Complaint. Defendants' counsel concurs with

1 Plaintiffs' Motion to Reopen this case, and has no objection to the Complaint being
2 reinstated. Accordingly,

3 **IT IS HEREBY ORDERED** that the Court's May 21, 2013 Order [Dkt. #26] and
4 Clerk's Judgment [Dkt. #27] are rescinded and this case is reopened.

5 Dated: May 28, 2013



6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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