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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL S. SPENCER, et al.,
Plaintiffs,
vs.
GLEN WHORTON, et al.,
Defendants.

3:07-CV-0635-LRH (VPC)
3:08-CV-0024-LRH (VPC)
ORDER

Plaintiff, JOSEPH TRACY #69718, and defendants, through their counsel, entered a stipulation to dismiss this action with prejudice pursuant to a settlement agreement (#190). The parties' agreement provides that the parties waive payment of the remaining filing fees associated with this case in exchange for dismissal of the action.

IT IS THEREFORE ORDERED:

1. The Director of the Nevada Department of Corrections or his designee shall not collect or deduct any further payments from plaintiff's inmate trust account for the purpose of paying the balance remaining on the filing fee as set forth in the Order approving application to proceed *in forma pauperis*.
2. Filing fees collected since entry of the order approving the stipulation dismissing this action with prejudice shall not be refunded to the plaintiff.
3. The Clerk of Court is directed to serve a copy of this order on the Director of the Nevada Department of Corrections.

Dated September 24, 2010.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

Tracy v. Whorton et al