

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**RICHARD K. DAVIS, et al.,**

**PLAINTIFFS,**

**v.**

**UNITED STATES OF AMERICA,**

**DEFENDANT.**

**CASE NO.: 1:12-cv-782**

**Judge Timothy S. Black  
Magistrate Judge Karen L. Litkowitz**

**AGREED ORDER GRANTING  
DEFENDANT THE UNITED STATES  
OF AMERICA'S (1) MOTION TO  
DISMISS CLAIMS OF PLAINTIFF  
JACKIE DAVIS, AND (2) MOTION TO  
STRIKE JURY DEMAND**

This matter is before the Court on (1) the United States' Motion to Dismiss Claims of Plaintiff Jackie Davis (Doc. 17), pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure (the "Motion to Dismiss"), and (2) the United States' Motion to Strike Jury Demand (Doc. 16), pursuant to 28 U.S.C. § 2402 (the "Motion to Strike" and, together with the Motion to Dismiss, the "Motions"). The United States and Plaintiffs have agreed, through counsel, that the Motions accurately state the applicable law and relevant facts and that the Motions should be granted.

Accordingly, the Court, having noted the parties' agreement and reviewed the Motion to Dismiss and the Motion to Strike, finds that the Motions are well-taken and should be GRANTED.

IT IS HEREBY ORDERED that all claims made by Plaintiff Jackie Davis in this matter are dismissed with prejudice. IT IS FURTHER ORDERED that the Plaintiffs' demand for jury trial is stricken and that any trial of this matter shall be to the Court and without a jury.

  
UNITED STATES DISTRICT JUDGE

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