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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DANIEL RAY SITTON,

9 Plaintiff,

Case No. C13-820-RAJ-BAT

10 v.

11 SUE BERG, *et al.*,

12 Defendants.

**ORDER GRANTING DEFENDANT
A.O. DENNY'S MOTION TO DISMISS**

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14 The Court, having reviewed defendant A.O. Denny's motion to dismiss, plaintiff's
15 response thereto, the parties' motions pertaining to the disqualification of A.O. Denny, the
16 Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, plaintiff's
17 objections, and the remaining record, does hereby find and ORDER:

18 (1) The Court adopts the Report and Recommendation.

19 (2) Defendant A.O. Denny's motion to dismiss (Dkt. No. 15) is **GRANTED**.

20 (3) Plaintiff's amended complaint and this action are **DISMISSED** with prejudice as
21 to all claims asserted against defendant Denny.

22 (4) Defendant Denny's motion for an order finding that he is not disqualified from
23 serving as defendants' counsel (Dkt. No. 21) is **GRANTED** and plaintiff's motion to disqualify

ORDER GRANTING DEFENDANT A.O.
DENNY'S MOTION TO DISMISS - 1

1 defendant Denny from representing the remaining defendants (Dkt. No. 43) is **DENIED**.

2 (5) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
3 defendants, and to the Honorable Brian A. Tsuchida.

4 DATED this 24th day of December, 2013.

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7 The Honorable Richard A. Jones
8 United States District Judge