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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 RICARDO CAPELLO,

7 Plaintiff,

8 v.

9 LESLIE SZIEBERT et al.

10 Defendants.

CASE NO. C13-5275 BHS-JRC

ORDER

11 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 38. The Court
12 having considered the R&R and the remaining record, and no objections having been
13 filed, does hereby find and order as follows:

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- 15 (1) The Court adopts the R&R;
 - 16 (2) The Court will take no action on the motion because the terms of the
17 agreement have not been fulfilled. Further, these terms may never be
18 fulfilled. The motion is removed from the docket.

19 DATED this 20th day of August, 2013.

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22 BENJAMIN H. SETTLE
23 United States District Judge
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