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12 **UNITED STATES DISTRICT COURT**
 13 **DISTRICT OF NEVADA**

14 DENNIS MONTGOMERY, et al.,
 15 Plaintiffs,
 16 v.
 17 ETREPPID TECHNOLOGIES, INC.,
 18 et al.,
 19 Defendants.

3:06-CV-00056-PMP-VPC
BASE FILE


3:06-CV-00145-PMP-VPC

20 **STIPULATION OF DISMISSAL**

21 By Order dated May 24, 2007, the Court dismissed certain claims against the United
 22 States Department of Defense in these consolidated actions, as set forth in the Complaint in 3:06-
 23 CV-00056-PMP-VPC (docket # 1) and the Counter-Claim filed in 3:06-CV-00145-PMP-VPC
 24 (Exhibit 1 to docket # 1). The parties hereby stipulate that no other claims run against the
 25 United States in these consolidated action. Accordingly, pursuant to Federal Rule of Civil
 26 Procedure 41(a)(1)(ii), the parties stipulate to the dismissal of this action, without prejudice, as to
 27 the United States.
 28

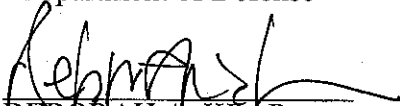
1 **IT IS SO STIPULATED.**

2 Date: October 11, 2007


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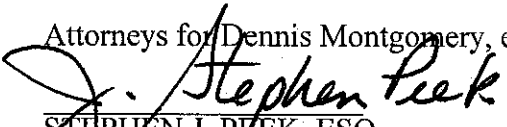
Counsel for United States
Department of Defense

8
9 Date: October 11, 2007


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16 Date: October 11, 2007

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22 **IT IS SO ORDERED**

23 Date: October 11, 2007.


UNITED STATES DISTRICT JUDGE