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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

<p>BRIAN SCHWEITZER, Governor of the State of Montana</p> <p>Plaintiff,</p> <p>v.</p> <p>LEON E. PANETTA, in his official capacity as Secretary of Defense, and MICHAEL B. DONLEY, in his official capacity as Secretary of the Air Force,</p> <p>Defendants.</p>	<p>CV-12-45-GF-SEH</p> <p>UNOPPOSED MOTION TO DISMISS WITHOUT PREJUDICE</p>
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Due to recent assurances by the Secretary of Defense and the Secretary of the Air Force, Plaintiff moves this Court to dismiss the above-titled action without prejudice pursuant to Fed. R. Civ. P. 41. Counsel for defendants has been contacted and does not object to this motion.

Respectfully submitted this 9th day of July, 2012.

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By: /s/ J. Stuart Segrest
J. STUART SEGREST
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CERTIFICATE OF MAILING

I hereby certify that on this date, I electronically filed the foregoing document with the clerk of the court for the United States District Court for the District of Montana, by using the appellate cm/ecf system. Participants in the case who are registered cm/ecf users will be served by the appellate cm/ecf system.

Dated: July 9, 2012 /s/ J. Stuart Segrest
J. STUART SEGREST
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Counsel for Plaintiff