

FILED

IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS EASTERN DISTRICT ARKANSAS
WESTERN DIVISION

OCT 04 2004

UNITED STATES OF AMERICA,) JAMES W. McCORMACK, CLERK
) By: _____
 Plaintiff,) DEP CLERK
)
) CIVIL ACTION NO. 4-03-CV-00791-JMM
 v.)
)
 LITTLE ROCK PLANNING)
 COMMISSION,)
)
 Defendant.)
)

STIPULATION OF VOLUNTARY DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff United States and Defendant Little Rock Planning Commission respectfully come before this honorable Court, by and through undersigned counsel, and for their Stipulation of Voluntary Dismissal, stipulate as follows:

1. The United States filed this civil action on September 30, 2003, pursuant to the Section 3614(b)(1)(A) of the Fair Housing Act, as amended, 42 U.S.C. §§ 3601 - 3619. Defendant thereafter filed a timely Answer.

2. The United States' complaint, *inter alia*, sought relief on behalf of Christopher and Shonitra Elliott ["the Elliotts"] pursuant to 42 U.S.C. § 3614(d)(1)(B). On or about August 31, 2004, counsel for the United States advised the Elliotts, who are not parties to this action, of the United States' intent to dismiss this case voluntarily on or about October 1, 2004, and

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of the possibility for them to seek intervention pursuant to 42 U.S.C. § 3614(e). As of this date, no motion for intervention has been filed by the Elliotts.

3. The parties stipulate that each party to this case shall bear its own costs and attorney's fees associated with this litigation.

4. The parties stipulate that dismissal shall be immediately effective upon filing this Stipulation of Voluntary Dismissal with the Court.

Respectfully submitted,

FOR THE UNITED STATES:

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