

FILED

MAR 23 2009

**NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NAVAJO HEALTH FOUNDATION/ SAGE
MEMORIAL HOSPITAL,

Plaintiff,

v.

MIKE LEAVITT, Secretary for Health and
Human Services, the DEPARTMENT OF
HEALTH AND HUMAN SERVICES, and
THE UNITED STATES OF AMERICA,

Defendants.

Case No. 1:07-00151

Judge: Richard W. Roberts

**STIPULATION AND ~~PROPOSED~~
ORDER RE DISMISSAL AND
ENTRY OF JUDGMENT**

The parties hereby agree and stipulate as follows:

WHEREAS the parties have settled the legal issues in the instant case pursuant to a settlement agreement; and

WHEREAS the parties agree that there are no remaining issues to be addressed by the Court; accordingly,

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that:

1. This action is hereby dismissed with prejudice, and a stipulated final judgment entered;
 2. No party may receive costs, attorneys' fees, or monetary recovery for this action;
- and

3. This stipulation may be signed in counterpart, and facsimile signatures shall have the same force and effect as originals.

Dated: March 17, 2009

/s/
ISAAC R. CAMPBELL
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., NW
Washington, DC 20350
[T] (202) 616-8476
[F] (202) 616-8460

Attorney for Defendants

/s/
LINDSAY R. NAAS
21633 S. 156th St.
Gilbert, AZ
[T] (480) 988-5450
[F] (480) 988-5470

Attorney for Plaintiff

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 20, 2009



Honorable Richard W. Roberts
United States District Judge