

No. 05-30403

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

CASINO CITY, INC.
Plaintiff-Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE,
Defendant-Appellee.

Appeal from the United States District Court
For the Middle District of Louisiana

CONSENTED MOTION FOR VOLUNTARY DISMISSAL

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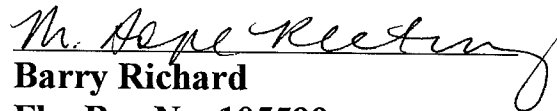
Attorneys for Plaintiff-Appellant

CONSENTED MOTION FOR VOLUNTARY DISMISSAL

Plaintiff-Appellant, Casino City, Inc., hereby moves, pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure and 5th Circuit Rule 42.1, for a voluntary dismissal with prejudice of this appeal. Through its counsel, Eric D. Miller, Defendant-Appellee, The United States Department of Justice, consents to this motion for voluntary dismissal with prejudice, and agrees that each party will bear its own fees and costs.

WHEREFORE, Plaintiff-Appellant respectfully moves this Court to dismiss this appeal with prejudice, with each party to bear its own fees and costs.

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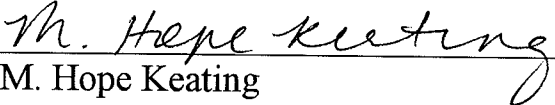

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CERTIFICATE OF SERVICE

I certify that on January 17th, 2006, the foregoing motion was filed and served by sending the original and three paper copies by Federal Express to Charles R. Fulbruge, III, Clerk, United States Court of Appeals for the Fifth Circuit, 600 Camp Street, 1st Floor, New Orleans, LA 70130, and by sending one paper copy by United States mail to Eric D. Miller and Scott R. McIntosh, U.S. Department of Justice, Civil Division, Appellate Staff, Room 7256, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001.


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