

FILED

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

AUG 27 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: PIERCE COUNTY,

PIERCE COUNTY,

Petitioner,

v.

USDC, SEATTLE,

Respondent,

SANDRA HERRERA; et al.,

Real Parties in Interest.

No. 09-73161

ORDER

Pursuant to the court's August 2, 2010, order, this petition is deemed withdrawn voluntarily. Withdrawal is without prejudice to petitioner's reasserting its claims should the issues reoccur.

FOR THE COURT:

By: Chris Goelz
Circuit Mediator

8/27/10/cg/mediation