

FILED

UNITED STATES COURT OF APPEALS

DEC 10 2008

FOR THE NINTH CIRCUIT

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

CLIFFORD E. HILLIS,

Petitioner,

v.

DEPARTMENT OF LABOR,

Respondent.

No. 06-72401

LABR Nos. LABR No. 03-136
ALJ No. 2002-STA-

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ARB 03-136/04-081

District of Arizona,
Phoenix

ORDER

Before: THOMAS and PAEZ, Circuit Judges, and WALKER*, Chief District Judge.

The parties have advised the Court that they have reached a settlement and wish to dismiss this appeal. Therefore, the hearing set for December 10, 2008 is hereby vacated. Pursuant to Fed. R. App. P. 42, the appeal is DISMISSED. A certified copy of this order shall constitute the mandate.

* The Honorable Vaughn R. Walker, Chief United States District Judge for the Northern District of California, sitting by designation.