

**Scharf-Norton Center for Constitutional Litigation at the
GOLDWATER INSTITUTE**

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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Diane Wickberg,

Plaintiff,

v.

Candace D. Owens, et al.,

Defendants.

) CASE NO.

) CV 10-8177-PCT-JAT

) PLAINTIFF'S UNOPPOSED
) MOTION TO DISMISS

Plaintiff Diane Wickberg, by and through her undersigned counsel, moves
to dismiss her Complaint with prejudice as follows:

1. The Parties reached a settlement in this matter, which was memorialized
in a Settlement Agreement and Release that was fully executed by the Parties on
March 11, 2011.

2. The Agreement provides for a full resolution of Plaintiff's claims in her
Complaint and provides that the County will implement objective and non-

1 discriminatory standards for the implementation of the anti-electioneering laws
2 and rules in Coconino County. The agreement further provides that the County
3 will train its poll workers on the enforcement of these standards.
4

5 3. Accordingly, in light of the March 11, 2011, Settlement Agreement and
6 Release entered into by the Parties, and consistent with the terms and conditions
7 contained therein, Plaintiff moves to dismiss her Complaint with prejudice.
8

9 4. A proposed order is attached hereto as "Exhibit 1."
10

11 **March 15, 2011**

12 **RESPECTFULLY SUBMITTED,**

13 s/ Diane S. Cohen

14 Clint Bolick

15 Diane S. Cohen

16 Christina Kohn

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20 *Attorneys for Plaintiff*
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CERTIFICATE OF SERVICE

I, Diane S. Cohen, an attorney, hereby certify that on March 15, 2011, I electronically filed the attached Motion to Dismiss with the Clerk of the Court for the United States District Court-District of Arizona by using the CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the District Court's CM/ECF system.

By: s/Diane S. Cohen
Attorney for Plaintiff