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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

**GALLAGHER SMITH,**  
**Plaintiff,**  
**v.**  
**CITY OF PORTLAND,**  
**Defendant.**

**Case No. 1110-13098**


**STIPULATED MOTION TO SET ASIDE  
JUDGMENT AND TO DISMISS**

The parties have settled this matter, and agree that the judgment entered on February 4, 2013, may be set aside and this action may be dismissed. Therefore, pursuant to ORCP 71B(1)(e), the parties move the court for an Order setting aside the judgment, and, pursuant to ORCP 54A(1), the parties stipulate that this action shall be dismissed with prejudice and without costs.

DATED: July \_\_\_\_, 2013.

Respectfully submitted,

\_\_\_\_\_  
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Kafoury & McDougal  
Attorneys for Plaintiff  
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\_\_\_\_\_  
David Landrum, OSB #955425  
Senior Deputy City Attorney  
Attorney for Defendant  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

**GALLAGHER SMITH,**  
**Plaintiff,**  
**v.**  
**CITY OF PORTLAND,**  
**Defendant.**

**Case No. 1110-13098**

**ORDER SETTING ASIDE JUDGMENT  
AND DISMISSING ACTION**

Based upon the stipulation of the parties, it is hereby  
ORDERED that the judgment entered in this action on February 4, 2013 is set aside;  
and it is further  
ORDERED, ADJUDGED and DECREED that this action is dismissed with  
prejudice, with no costs or disbursements awarded to any party.

DATED: \_\_\_\_\_, 2013.

\_\_\_\_\_  
Presiding Judge