

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**Ruby Bell; et al., individually and on behalf of
all similarly situated persons,**)

Plaintiffs,)

vs.)

**Michael Leavitt, Secretary of the United States
Department of Health and Human Services,**)

Defendant.)

) **No. 06 C 3520**

) **Judge Ronald Guzman**

AGREED MOTION FOR VOLUNTARY DISMISSAL

Plaintiffs, by their undersigned counsel, pursuant to an agreement between the parties and pursuant to Fed. R. Civ. P. 41(a)(2) and 23(e)(1)(A), hereby move to voluntarily dismiss the remaining claims of Class C plaintiffs without prejudice. In support of this Motion, the Plaintiffs state as follows:

1. Based upon the previous memorandum opinions and orders of this Court and the Magistrate Court, except for the claims of the Class C plaintiffs, this Court previously dismissed all of the named plaintiffs' claims for lack of subject matter jurisdiction.

2. Pursuant to Fed. R. Civ. P. 23(e)(2), the parties have agreed as to the wording of an order of dismissal of the Class C plaintiffs' remaining claim. That stipulated dismissal order is attached as Exhibit A.

3. The parties do not waive any rights to appeal.

Date: March 29, 2007

RUBY BELL, et al.

By /s/ Mary E. Anderson
One of Its Attorneys

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