

The Honorable Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT C. WARDEN,

Plaintiff,

v.

GREGORY J. NICKELS and CITY OF
SEATTLE,

Defendants.

Case No. 2:09-CV-01686-MJP

[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(6)

This matter comes before the Court on the Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) of Defendants Gregory J. Nickels and City of Seattle. Having considered the pleadings and the memoranda in support of and in opposition to Defendants' motion, the Court HEREBY GRANTS Defendants' Motion to Dismiss pursuant to Fed. R. Civ. P. 12(6)(6), and does HEREBY ORDER as follows:

1. Plaintiff's First Claim for Relief under U.S. Const. amend. II and 42 U.S.C. § 1983, First Amended Complaint at 7, dkt. no. 4, is DISMISSED;
2. Plaintiff's Second Claim for Relief under U.S. Const. amend. XIV and 42 U.S.C. § 1983, First Amended Complaint at 8, dkt. no. 4, is DISMISSED; and

3. Plaintiff's Third Claim for Relief under Wash. Const. art. I, § 24, First Amended
Complaint at 9, dkt. no. 4, is DISMISSED.

IT IS SO ORDERED.

DATED this ____ day of _____, 20__.

Marsha J. Pechman
UNITED STATES DISTRICT JUDGE

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