FEB - 6 2007

GATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff - Appellant,

v.

WINSLOW MEMORIAL HOSPITAL, INC., an Arizona corporation,

Defendant - Appellee.

No. 06-16523

D.C. No. CV-04-02060-DGC District of Arizona, Phoenix

ORDER

Appellant's motion to dismiss this appeal is granted. Fed. R. App. P. 42(b).

A certified copy of this order shall serve as the mandate of this court.

FOR THE COURT

Margare Circuit Mediator

JE COPY ATTERSON - 6 2997