

FILED

UNITED STATES COURT OF APPEALS

NOV 30 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CENTER FOR BIOLOGICAL
DIVERSITY,

Petitioner,

v.

NATIONAL HIGHWAY TRAFFIC
SAFETY ADMINISTRATION, an agency
within the United States Department of
Transportation,

Respondent.

No. 09-70972

TRAN No. NHTSA-2009-0062
NO DISTRICT,

ORDER

Pursuant to the stipulation of the parties, this petition is voluntarily dismissed. Fed. R. App. P. 42(b). The parties shall bear their own costs and attorneys' fees on appeal.

This order served on the agency shall act as and for the mandate of this court.

FOR THE COURT:

By: Lisa J. Evans
Circuit Mediator