

[Oral Argument Not Yet Scheduled]
IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Yassin Abdullah Kadi,
Plaintiff-Appellant,
v.
Timothy F. Geithner, in his official capacity,
Secretary of the Treasury, et al.,
Defendants-Appellees.
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) No. 12-5076
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MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Rule 42 of the Federal Rules of Appellate Procedure ("FRAP"), Plaintiff-Appellant Yassin Abdullah Kadi respectfully moves the Court for voluntary dismissal of the above-captioned case.

- 1. On March 19, 2012, the district court (Bates, J.) granted Defendants-Appellees' motion to dismiss plaintiff's complaint or, in the alternative, for summary judgment. Plaintiff timely appealed that order to this Court.
2. Pursuant to this Court's order dated June 7, 2012 [Dkt. # #1377666 ], Plaintiff-Appellant's opening brief is currently due on August 9, 2012, Defendants-Appellees' response is due on September 10, 2012, and Plaintiff-Appellant's reply is due on September 24, 2012.
3. Plaintiff-Appellant has concluded that withdrawal of his appeal is warranted at this time, and is authorized to represent to the Court that Defendants-Appellees consent to this proposal, and that the parties have agreed that each side shall bear its own costs and fees. Plaintiff-Appellant and Defendants-Appellees further agree

that such dismissal does not constitute an adjudication on the merits of any issue that could have been raised on appeal.

4. Accordingly, Plaintiff-Appellant hereby moves the Court for voluntary dismissal of the above captioned appeal pursuant to FRAP Rule 42 with each party bearing its own costs.

Respectfully submitted:

/s/ David F. Geneson

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