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**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

SAM KUNAKNANA, *et al.*,

Plaintiffs,

v.

UNITED STATES ARMY CORPS OF  
ENGINEERS, *et al.*,

Defendants,

CONOCOPHILLIPS ALASKA, INC., *et  
al.*,

Intervenor-Defendants.

Case No. 3:13-cv-00044-SLG

**UNOPPOSED MOTION TO  
WITHDRAW PLAINTIFFS'  
PETITION FOR COSTS AND FEES**

On August 27, 2015, Plaintiffs submitted a petition for attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"). Pls.' Pet. for Costs & Fees, ECF No. 226 [hereinafter Pls.' Pet.]; 28 U.S.C. § 2412(d)(2)(A); Fed. R. Civ. P. 54(d)(2)(A)–(B).

Contemporaneously, Plaintiffs also filed an unopposed motion to stay briefing on Plaintiffs'

petition to allow for settlement discussions. *See* Unopposed Mot. to Stay Briefing on Pls.' Pet. for Costs & Fees, ECF No. 227. Plaintiffs and Defendants have reached an agreement with regard to the settlement of Plaintiffs' fees and costs. *See* Joint Status Report, ECF No. 238.

Defendants do not oppose this motion to withdraw Plaintiffs' petition. Defendant-Intervenors ConocoPhillips Alaska, Inc., Arctic Slope Regional Corporation, Kuukpik Corporation, and the State of Alaska take no position. Counsel for Defendant-Intervenor North Slope Borough was unavailable to confer.

Because the parties have reached a settlement, Plaintiffs withdraw their petition for attorney's fees and costs (Pls.' Pet., ECF No. 226) and request that the matter be removed from the Court's docket.

Respectfully submitted this 4th day of May, 2016.

s/ Brian Litmans  
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### **CERTIFICATE OF SERVICE**

I certify that on May 4, 2016, I caused a copy of the **UNOPPOSED MOTION TO WITHDRAW PLAINTIFFS' PETITION FOR COSTS AND FEES** to be electronically filed with the Clerk of the Court for the U.S. District Court of Alaska using the CM/ECF system, which will send electronic notification of such filings to the attorneys of record in this case, all of whom are registered with the CM/ECF system.

s/ Brian Litmans  
Attorney