

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30983

CITIZEN ACTION FUND, doing business
as Louisiana Citizen Action

Plaintiff - Appellant

v.

CITY OF MORGAN CITY, ET AL

Defendants

CITY OF MORGAN CITY

Defendant - Appellee

Appeal from the United States District Court for the
Western District of Louisiana

April 14, 1999

Before DeMOSS, PARKER, and DENNIS, Circuit Judges.

BY THE COURT:

While this cause was pending a petition for rehearing en banc following our opinion of September 3, 1998, the parties agreed to a settlement and have filed a motion to dismiss the appeal. On consideration of the motion it is ordered that the agreed motion to dismiss the appeal is GRANTED, and, no poll having been taken on the petition for rehearing en banc, our prior opinion herein is WITHDRAWN. The petition for rehearing en banc is DENIED AS MOOT, and the appeal is DISMISSED.