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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Advocates for Individuals with Disabilities
Foundation Incorporated,

Plaintiff,

v.

Smith's Food & Drug Centers Incorporated,

Defendant.

No. CV-16-02711-PHX-JJT
ORDER

This Court has reviewed the Order in CV-16-2375-PHX-DGC concluding after exhaustive analysis that Plaintiff lacked standing under Article III of the Constitution of the United States to pursue their claims in federal court, and remanding to the Superior Court of Arizona in and for Maricopa County. Upon review and consideration of the pleadings in this matter, the Court concludes, upon the identical basis as Judge Campbell ruled in CV-16-2375, that Plaintiff here lacks Article III standing to pursue its claims in federal court.

IT IS THEREFORE ORDERED *sua sponte* remanding this case to Maricopa County Superior Court.

IT IS FURTHER ORDERED denying as moot Defendant’s Motion to Consolidate Cases (Doc. 19).

1 IT IS FURTHER ORDERED vacating the Rule 16 Scheduling conference
2 presently set in this matter for Monday, October 31, 2016. The Clerk of Court shall close
3 this matter.

4 Dated this 28th day of October, 2016.

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7 _____
8 Honorable John J. Tuchi
9 United States District Judge
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