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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

G. M., a minor, by and through his  
Guardian ad litem, Kevin R. Marchese, an  
individual, and Lyndi Marchese, an  
individual; et al.,

Plaintiffs - Appellants,

v.

DRY CREEK JOINT ELEMENTARY  
SCHOOL DISTRICT; et al.,

Defendants - Appellees.

No. 11-15085

D.C. No. 2:10-cv-00944-GEB-  
GGH

ORDER\*

Appeal from the United States District Court  
for the Eastern District of California  
Garland E. Burrell, District Judge, Presiding

Submitted November 14, 2011\*\*  
San Francisco, California

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\* This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision  
without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: NOONAN and BEA, Circuit Judges, and WALTER, Senior District Judge.\*\*\*

This case is **DISMISSED** as moot given G.M.'s graduation from Dry Creek Joint Elementary School District.

G.M.'s request for judicial notice of the Further Excerpts of Record is denied. Dry Creek's motion to strike the Further Excerpts of Record from the record is denied as moot.

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\*\*\* The Honorable Donald E. Walter, Senior District Judge for the U.S. District Court for Western Louisiana, sitting by designation.