

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Golden Hill Paugussett Tribe of :
Indians, :
Plaintiff, :
v. : Case No, 2:92cv738 (JBA)
M. Jodie Rell, Governor of the : LEAD
State of Connecticut, et al., :
Defendants. :

ENDORSEMENT ORDER ON JOINT MOTION FOR CLARIFICATION AND
CORRECTION OF JUDGMENT UNDER RULE 60(a) [DOC. # 389]

Upon consideration thereof and pursuant to Fed. R. Civ. P. 60, the Court GRANTS the Joint Motion for Clarification and Correction [Doc. # 389] and orders as follows:

1. As it is apparent from the record that defendant F. J. Polesaic, Jr., was a subject of plaintiff's Voluntary Motion to Dismiss [Doc. # 369], which was granted on September 5, 2006 [Doc. # 371], an Amended Judgment shall issue to this effect.
2. Notwithstanding that not all remaining defendants joined in the motions to dismiss/for judgment of the pleadings granted on November 29, 2006 [Doc. # 383], the Court hereby clarifies that its November 29, 2006 Ruling, and the Judgment that issued thereafter, applied to all remaining non-terminated defendants, in light of Perez v. Ortiz, 849 F.2d 793, 797 (2d Cir. 1988) (sua sponte dismissal will be permitted, inter alia, where a plaintiff has notice that the court is considering dismissal), and given the agreement of the parties.

The Clerk is directed to enter an Amended Judgment reflecting the above correction and clarification.

IT IS SO ORDERED.

/s/

Janet Bond Arterton
United States District Judge

Dated at New Haven, Connecticut this 24th day of July, 2007.