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UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

FILED

SEP 07 2010

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

In the Matter of: PAUL HUPP,

Debtor,

PAUL HUPP,

Appellant,

v.

EDUCATIONAL CREDIT MANAGEMENT CORPORATION,

Appellee,

UNITED STATES OF AMERICA,

Intervenor - Appellee.

No. 08-56403

D.C. No. 3:08-cv-00414-H-RBB U.S. District Court for Southern California, San Diego

MANDATE

The judgment of this Court, entered June 07, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

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FOR THE COURT:

Molly C. Dwyer Clerk of Court

Rhonda Roberts Deputy Clerk