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#### PRIOR OR RELATED APPEALS

Plaintiff Rick Homans filed an earlier appeal, No. 01-2271, and obtained an injunction pending appeal. 264 F.3d 1240 (10<sup>th</sup> Cir. 2001). The appeal was abated pending completion of proceedings in the trial court, by order of this Court dated November 2, 2001. The appeal was dismissed as moot by order of this Court dated September 30, 2002.