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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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CHRISTOPHER J. CHARLES, an  
unmarried man,

No. CV08-2345-PHX-JAT

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Plaintiff,

**ORDER**

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vs.

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GOLDMAN SACHS MORTGAGE)  
COMPANY; JOHN DOES and JANE)  
DOES I-X; BLACK CORPORATIONS I-  
X; WHITE PARTNERSHIPS I-X; RED)  
LIMITED LIABILITY ENTITIES I-X,

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Defendants.

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Pending before this Court is Defendant Goldman Sachs Mortgage Company's Motion  
to Dismiss (Doc. # 10) and Plaintiff Christopher J. Charles' Notice of Voluntary Dismissal  
(Doc. # 11).

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Defendant having not filed an answer or a motion for summary judgment, pursuant  
to Rule 41(a)(1)(A)(I), *see Concha v. London*, 62 F.3d 1493,1506 (9th Cir. 1995),

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**IT IS ORDERED** dismissing this case without prejudice pursuant to Plaintiff's  
Notice of Voluntary Dismissal.

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**IT IS FURTHER ORDERED** denying Defendant's Motion to Dismiss (Doc. # 10)  
as moot.

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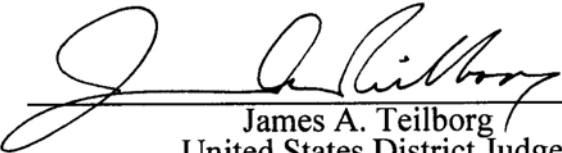
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**IT IS FINALLY ORDERED** directing the Clerk's office to close the case.

DATED this 7<sup>th</sup> day of April, 2009.

  
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James A. Teilborg  
United States District Judge