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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

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VAUDINE CULLINS, Plaintiff, vs. ELVIN EUGENE HAMMETT, aka GENE HAMMETT, an individual; C.L. BRYANT, INC., a California corporation; the UNITED STATES OF AMERICA; and all persons unknown, claiming any legal or equitable right, title, estate, lien, or interest in the property described in the complaint adverse to plaintiff's title, or any cloud on plaintiff's title; and DOES 1-50, inclusive, Defendants.	Case No. 07-CV-01195 DLB **REQUEST FOR DISMISSAL OF LAWSUIT AND ORDER THEREON**

CASWELL BELL & HILLISON LLP

Plaintiff Vaudine Cullins hereby requests that the lawsuit in the above-referenced matter be dismissed without prejudice pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2). In support thereof, plaintiff represents as follows:

1. A Complaint for Quiet Title and Declaratory Relief was filed by plaintiff Lena Hammett against defendants Elvin Eugene Hammet, C. L. Bryant, Inc., and the United States of America on August 16, 2007. The plaintiff subsequently died, and her daughter, Vaudine Cullins, was substituted in as the plaintiff in this lawsuit.

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2. All of the defendants were served, and on January 31, 2008, the default of defendant Elvin Eugene Hammett was entered.

3. On March 14, 2008, defendant C. L. Bryant, Inc. was voluntarily dismissed from the lawsuit.

4. On January 20, 2009, the remaining defendant, United States of America, was dismissed from the lawsuit. All of the issues in the lawsuit have been resolved. Accordingly, plaintiff respectfully requests that the Court enter an order dismissing this lawsuit, without prejudice, and with each party to bear its own fees and costs.

DATED: October 21, 2009. CASWELL BELL & HILLISON LLP

By: */s/ Kimberly L. Mayhew*
Kimberly L. Mayhew
Attorneys for Vaudine Cullins

ORDER

IT IS ORDERED that the above-referenced lawsuit be dismissed without prejudice, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2). Each party shall bear its own fees and costs. Said dismissal shall be effective sixty (60) days after the date of this order, unless any party shall have filed an objection to the dismissal, in which event the request for dismissal shall be heard upon notice to all parties.

IT IS SO ORDERED.

Dated: October 23, 2009 **/s/ Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE