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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BYRON CHAPMAN,

Plaintiff,

vs.

VALERO CALIFORNIA RETAIL
COMPANY, et al.,

Defendants.

CASE NO. CV F 10-0758 LJO GSA

ORDER TO DISMISS DEFENDANT
(Doc. 9.)

Based on the plaintiff's notice of voluntary dismissal under F.R.Civ.P. 41(a)(1)(A)(i), this Court
DISMISSES this action without prejudice as to defendant Janet B. Pierucci, trustee of various trusts.

This Court DIRECTS the clerk NOT to close this action.

IT IS SO ORDERED.

Dated: July 29, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE