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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 JOHN MORALES,) No. 1:11-CV-00479-LJO-SMS
12 Plaintiff,)
13 vs.) **NOTICE OF VOLUNTARY DISMISSAL**
14 M & H REALTY PARTNERS AFFILIATED) **OF M & H REALTY PARTNERS**
15 FUND III L.P., et al.,) **AFFILIATED FUND III L.P. ONLY**
16 Defendants.)
17

18 WHEREAS, no defendant has filed an answer or a motion for summary judgment;
19 WHEREAS, Plaintiff has incorrectly named M & H Realty Partners Affiliated Fund III
20 L.P. in this action;

21 WHEREAS, no counterclaim has been filed;
22 Plaintiff hereby respectfully requests that Defendant M & H Realty Partners Affiliated
23 Fund III L.P. only be dismissed with prejudice pursuant to Federal Rules of Civil Procedure
24 41(a)(1)(A)(i).

25 Date: April 20, 2011

MOORE LAW FIRM, P.C.

27 /s/ Tanya E. Moore
28 Tanya E. Moore
Attorneys for Plaintiff John Morales

ORDER

Good cause appearing,

IT IS HEREBY ORDERED that only M & H Realty Partners Affiliated Fund III L.P. be dismissed with prejudice from this action.

IT IS SO ORDERED.

Dated: April 20, 2011

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