

Dated: October 31, 2012

VITALE & LOWE

By: /a/ Alan W. Foutz
 Alan W. Foutz
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 an individual

ORDER

Pursuant to the above notice of Rule 41(a)(1) dismissal with prejudice, this case terminated automatically. Duke Energy Trading & Mktg., LLC v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The Clerk shall close this case.

IT IS SO ORDERED.

Dated: November 2, 2012



UNITED STATES DISTRICT JUDGE