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

In the Matter of the Petition of  
the Fresno Metropolitan Flood  
Control District,

CASE NO. CV F 12-1032 LJO DLB

Petitioner,

**ORDER TO DISMISS AND CLOSE  
ACTION**  
(Doc. 9.)

\_\_\_\_\_ /

Based on petitioner’s notice of voluntary dismissal under F.R.Civ.P. 41(a)(1)(A)(i), this Court:

- 1. DISMISSES without prejudice this action in its entirety;
- 2. VACATES all pending matters and dates, including the August 2, 2012 hearing on the motion to dismiss and the August 23, 2012 scheduling conference; and
- 3. DIRECTS the clerk to close this action.

This Court will take no further action on the motion to dismiss.

IT IS SO ORDERED.

**Dated: July 19, 2012**

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