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

SHELLY MAX,

Plaintiff,

vs.

SETERUS, INC., et al.,,

Defendants.

CASE NO. CV F 13-0196 LJO SMS

**ORDER TO DISMISS AND CLOSE
ACTION**
(Doc. 12.)

_____ /

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

1. DISMISSES without prejudice the claims remaining in this action after this Court's February 26, 2013 order, which remains in effect;
2. VACATES all pending matters and dates, including the April 10, 2013 hearing on Seterus and MERS' motion to dismiss (doc. 9), which is rendered moot, and the May 7, 2013 scheduling conference; and
3. DIRECTS the clerk to term doc. 9 and to close this action.

IT IS SO ORDERED.

Dated: March 8, 2013

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