

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

3
4 **VICTOR A. NOTTOLI, et al.,**

5 **Plaintiffs,**

6 **v.**

7 **UNITED STATES OF AMERICA,**

8 **Defendant.**

1:13-cv-1551-LJO-BAM

**ORDER RE PLAINTIFFS'
VOLUNTARY DISMISSAL (DOC. 8)**

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11 On June 19, 2014, Victor A. Nottoli, Jun Wu, Dezheng Wu, The Only Source Corporation,
12 BioNaturals, Inc., and Victor A. Nottoli and Jun Wu Living Trust (collectively, "Plaintiffs") filed a
13 notice of voluntary dismissal of this matter pursuant to Fed. R. Civ. P. 41(a)(1)(A). Doc. 31 at 1. This
14 request will be construed as one for voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i) because
15 Defendant has not filed an answer or motion for summary judgment. Plaintiffs request that the Court
16 issue an order dismissing their complaint in its entirety without prejudice. *Id.*

17 Based on Plaintiffs' notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i), this
18 Court:

- 19 1. DISMISSES without prejudice this entire action and all claims;
- 20 2. VACATES all pending matters and dates; and
- 21 3. DIRECTS the clerk to close this action.

22 **IT IS SO ORDERED.**

23 Dated: June 20, 2014

24 /s/ Lawrence J. O'Neill
25 LAWRENCE J. O'NEILL
26 United States District Judge