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| 8  | UNITED STATES DISTRICT COURT  |  |  |
| 9  | EASTERN DISTRICT OF CALIFORNIA  |  |  |
| 10 | U.S. EQUAL EMPLOYMENT OPPORTUNITY ) Case No. 1:13-mc-0032 SKO<br>COMMISSION, )                |  |  |
| 11 | ) REQUEST FOR VOLUNTARY   |  |  |
| 12 | Petitioner,) DISMISSAL OF PETITIONER EEOC'Sv.) APPLICATION FOR ORDER TO                       |  |  |
| 13 | ) SHOW CAUSE WHY SUBPOENASAYALA AG SERVICES,) SHOULD NOT BE ENFORCED;                         |  |  |
| 14 | ) ORDER   |  |  |
| 15 | Respondent. )   |  |  |
| 16 | TO THE HONORABLE MAGISTRATE JUDGE AND DEFENDANT:  |  |  |
| 17 | Petitioner United States Equal Employment Opportunity Commission (the "EEOC")                 |  |  |
| 18 | seeks dismissal of this action, filed against Respondent Ayala AG Services ("Respondent") for |  |  |
| 19 | enforcement of the EEOC's Administrative Subpoena Nos. LA-13-014 and No. LA-13-015,           |  |  |
| 20 | pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-9.                   |  |  |
| 21 | On September 25, 2013, the Court held a hearing on this matter. The Court issued an           |  |  |
| 22 | order (Docket No. 6) enforcing the EEOC's subpoenas on October 15, 2013. The EEOC served      |  |  |
| 23 | a copy of this order on Respondent Ayala. (Docket No. 7).                                     |  |  |
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|    | EEOC'S Request for Dismissal  |  |  |

| 1        | Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff EEOC now |                              |  |  |  |
|----------|---|------------------------------|--|--|--|
| 2        | seeks dismissal of this subpoena enforcement  | nt without prejudice.        |  |  |  |
| 3        | Dated: October 2, 2014  | U.S. EQUAL EMPLOYMENT        |  |  |  |
| 4        | Dated. October 2, 2014  | OPPORTUNITY COMMISSION       |  |  |  |
| 5        |   |                              |  |  |  |
| 6        | By:   | /s/ Rumduol Vuong            |  |  |  |
| 7        | by.   | RUMDUOL VUONG                |  |  |  |
| 8        |   | Attorneys for Plaintiff EEOC |  |  |  |
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|          | EEOC'S Request for Dismissal  | 2                            |  |  |  |

| 1        | ORDER   |  |  |  |
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| 2        | Pursuant to the notice of dismissal filed by Petitioner under Federal Rule of Civil           |  |  |  |
| 3        | Procedure 41(a)(2), this case is hereby dismissed without prejudice. The Clerk of Court shall |  |  |  |
| 4        | administratively close this case.   |  |  |  |
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| 6        | IT IS SO ORDERED.   |  |  |  |
| 7        | Dated: October 2, 2014 /s/ Sheila K. Oberto   |  |  |  |
| 8        | UNITED STATES MAGISTRATE JUDGE  |  |  |  |
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|          | 3<br>EEOC'S Request for Dismissal   |  |  |  |