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3 **UNITED STATES DISTRICT COURT**  
4 **EASTERN DISTRICT OF CALIFORNIA**  
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6 THERESA BROOKE,  
7 Plaintiff,  
8 v.  
9 NARESH KHUSHBOO PATEL,  
10 Defendant.

Case No. 1:18-cv-00444-LJO-SAB  
ORDER STRIKING NOTICE OF  
WITHDRAWAL  
(ECF No. 15)

11  
12 Plaintiff Theresa Brooke filed a complaint alleging disability discrimination in violation of  
13 the Americans With Disabilities Act and state law on April 2, 2018. (ECF No. 1.) The clerk  
14 entered default against Defendant Naresh Khushboo Patel on May 16, 2018. (ECF Nos. 5, 6.)  
15 Currently there is a findings and recommendations pending recommending granting Plaintiff's  
16 motion for default judgment. (ECF No. 13.)

17 On August 30, 2018, a notice of withdrawal was filed by counsel Andrew R. Stilwell. The  
18 notice lists the defendant as Shirishbhai B. Patel and the case number is listed as 1:18-cv-00444-  
19 LJO-BAM. The Court notes that there is a case no. 1:18-cv-00448-LJO-BAM in which  
20 Shirishbhai B. Patel is the defendant. It appears that this notice was filed in the incorrect action.

21 Accordingly, the notice of withdrawal (ECF No. 15) is **HEREBY STRICKEN FROM THE**  
22 **RECORD** and counsel shall file the notice in the correct action.

23 IT IS SO ORDERED.

24 Dated: August 31, 2018

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27 UNITED STATES MAGISTRATE JUDGE  
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