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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

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10 SCOTT N. JOHNSON

Case No.: CIV.S 08-cv-01829-FCD-KJM

11 Plaintiff,

12 vs. **PLAINTIFF'S REQUEST FOR
DISMISSAL OF MOHAMMAD ASHRAF
AND ORDER**

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14 MOHAMMAD ASHRAF, et. al.,

15 Complaint Filed: AUGUST 7, 2008

16 Defendants

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20 **CASE TO BE REMAINED OPEN WITH
REMAINING DEFENDANTS**

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IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (Mohammad Ashraf) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to be remained open with remaining Defendants. Defendant (Mohammad Ashraf) is dismissed because this Defendants business is no longer located at the subject premises.

Dated: February 2, 2009

/s/Scott N. Johnson

SCOTT N. JOHNSON
Attorney for Plaintiff

1 IT IS SO ORDERED.
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3 Dated: February 2, 2009
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FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE

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