

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

CHEVONDA AUTAR, on behalf of herself, and as a private attorney general on behalf of all those similarly situated and the general public,

Plaintiff, No. CIV S-08-1934 GEB EFB

VS.

ROYCE NEWCOMB; KATHLEEN
NEWCOMB, alias KATHY NEWCOMB; RK
FORECLOSURE SPECIALISTS, business
entity form unknown; Does 1 through 10,
inclusive,

Defendants. ORDER

On April 17, 2009, plaintiff notified the Clerk of Court of her intent to voluntarily

dismiss this action. Dckt. No. 33. On April 20, 2009, defendants filed a statement of non-

opposition, Dckt. No. 37. Because defendants have filed an answer in this action, their

agreement is necessary to effect plaintiff's request for dismissal. See Fed. R. Civ. P.

41(a)(1)(A)(ii). Having obtained defendants' consent, plaintiff's request for dismissal will be

granted Fed R Civ P 41(a)(2)

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1 Accordingly, IT IS HEREBY ORDERED that this case is dismissed without prejudice.

2 The Clerk of Court is directed to close this case. The Clerk of Court is also directed to again
3 modify the docket to reflect plaintiff's most recently noted address, 2745 Elk Grove Blvd., Ste.
4 270, #43, Elk Grove CA 95758.

5 IT IS SO ORDERED.

6 DATED: April 21, 2009.


7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE

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