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

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

14 Plaintiff,

No. CIV S-08-1934 GEB EFB

15 vs.

16 ROYCE NEWCOMB; KATHLEEN  
17 NEWCOMB, alias KATHY NEWCOMB; RK  
18 FORECLOSURE SPECIALISTS, business  
19 entity form unknown; Does 1 through 10,  
20 inclusive,

21 Defendants.

ORDER

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23 On April 17, 2009, plaintiff notified the Clerk of Court of her intent to voluntarily  
24 dismiss this action. Dckt. No. 33. On April 20, 2009, defendants filed a statement of non-  
25 opposition, Dckt. No. 37. Because defendants have filed an answer in this action, their  
26 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.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE