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

Case No.: CIV.S 08-cv-02954-WBS-KJM

SCOTT N. JOHNSON

Plaintiff,

vs.

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF A.C.L. SCHREUDER
AND *Proposed* ORDER**

Clark Auto Body, Inc., et al,

Complaint Filed: DECEMBER 4, 2008

Defendants

**CASE TO BE REMAINED OPEN WITH
REMAINING DEFENDANT**

IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (A.C.L. Schreuder) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to be remained open with remaining Defendant. Defendant (A.C.L. Schreuder) is dismissed because this Defendant is not a proper part to this action.

Dated: February 9, 2009

/s/Scott N. Johnson
 SCOTT N. JOHNSON
 Attorney for Plaintiff

1 **IT IS SO ORDERED.**

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3 Dated: February 9, 2009

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6 WILLIAM B. SHUBB
7 UNITED STATES DISTRICT JUDGE
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