

1 SCOTT N. JOHNSON, ESQ., SBN 166952  
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9 Attorney for Plaintiff Scott N. Johnson

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

10 SCOTT N. JOHNSON  
 11 Plaintiff,  
 12 vs.

Case No.: CIV.S 09-cv-02060-JAM-GGH

**PLAINTIFF’S REQUEST FOR  
 DISMISSAL OF MICHAEL A. HENRY  
 AND ORDER**

14 Dan E. Gretzer, et al,  
 15  
 16 Defendants

Complaint Filed: JULY 27, 2009

**CASE TO REMAIN OPEN WITH  
 REMAINING DEFENDANT**

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20 **IT IS HEREBY REQUESTED** by Plaintiff, Scott N. Johnson, that Defendant (Michael  
 21 A. Henry) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2).  
 22 This case is to remain open with remaining Defendants. Defendant (Michael A. Henry) is  
 23 dismissed because this Defendant no longer operates the business.

25 Dated: September 8, 2009

25 /s/Scott N. Johnson  
 26 SCOTT N. JOHNSON  
 27 Attorney for Plaintiff

**IT IS SO ORDERED.**

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Dated: September 8, 2009

/s/ John A. Mendez  
U. S. DISTRICT JUDGE