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Attorney for Plaintiff Scott N. Johnson

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

SCOTT N. JOHNSON

Plaintiff,

vs.

Shahryar Sefidpour D.D.S., M.S.D., Inc., et al,

Defendants

Case No.: CIV.S 09-cv-02088-FCD-EFB

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF BRETT ANDREW
ADAIR; KECIA KRISTINE ADAIR AND
ORDER**

Complaint Filed: JULY 29, 2009

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

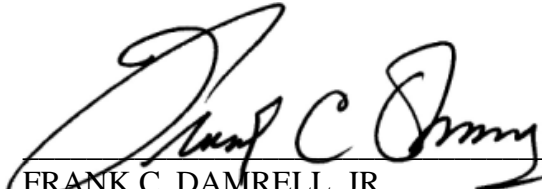
IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendants (Brett Andrew Adair; Kecia Kristrine Adair) be and are hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to be remained open with remaining Defendants. Defendants (Brett Andrew Adair; Kecia Kristrine Adair) are dismissed because Plaintiff is unable to effect proper service.

1 Dated: October 14, 2009

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

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4 **IT IS SO ORDERED.**

5 Dated: October 15, 2009

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FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE