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

Scott N. Johnson

Plaintiff,

vs.

Souphy Thonchai,

Defendants

) Case No.: CIV.S 09-cv-02673-JAM-DAD

)
) **STIPULATED DISMISSAL AND**
) **ORDER**
) **FRCP 41 (a)(1)**

) Complaint Filed: SEPTEMBER 24, 2009

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 21 **IT IS HEREBY STIPULATED** by and between the parties to this action through their
 22 designated counsel that this action be and is hereby dismissed **WITHOUT** prejudice pursuant to
 23 FRCP 41 (a)(1).

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Dated: October 29, 2010

AVELINO LAW FIRM

/s/ Kenneth A. Avelino

KENNETH AVELINO,
Attorneys for Defendants,
Souphy Thonchai

Dated: October 28, 2010

DISABLED ACCESS PREVENTS
INJURY, INC.

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

IT IS ORDERED that this action is hereby dismissed **WITHOUT** prejudice pursuant to
FRCP 41 (a)(1).

Dated: November 1, 2010

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