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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.

Gaines Liquor, LLC, et al,

Defendants

Case No.: CIV.S 10-cv-00252-MCE-DAD

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF AGNES M. TSUTSUMI;
ORDER**

Complaint Filed: FEBRUARY 1, 2010

**CASE TO REMAIN OPEN AS TO
REMAINING DEFENDANTS**


IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (Agnes M. Tsutsumi) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41(a)(2). This case is to remain open as to the remaining Defendants. Defendant (Agnes M. Tsutsumi) is dismissed because Plaintiff cannot achieve proper service on this Defendant.

Dated: April 13, 2010

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

1 **IT IS SO ORDERED.**

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3 Dated: April 16, 2010

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5 MORRISON C. ENGLAND, JR.
6 UNITED STATES DISTRICT JUDGE
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