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

10 Scott N. Johnson

11 Plaintiff,

12 vs.

14 Hun Nam Kim, et al,

16 Defendants

Case No.: CIV.S 10-cv-00725-MCE-EFB

**REQUEST RE DISMISSAL OF HUN NAM KIM; ORDER THEREON**

Complaint Filed: MARCH 25, 2010

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

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20 **IT IS HEREBY REQUESTED** by Plaintiff, Scott N. Johnson, that Defendant (Hun  
 21 Nam Kim) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2).

22 This case is to remain open as to the remaining Defendants.

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1 Defendant (Hun Nam Kim) is dismissed because service on this Defendant cannot be  
2 achieved.

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4 Dated: October 2, 2010

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

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7 **IT IS SO ORDERED.**

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9 Dated: October 6, 2010

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11 MORRISON C. ENGLAND, JR  
12 UNITED STATES DISTRICT JUDGE