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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ELK GROVE ANSWERING SERVICE,  
INC.; ANNA NOTTNAGEL; RAY  
NOTTNAGEL; STACEY NOTTNAGEL;  
STEPHANIE UECKER; BRET  
UECKER,

No. 2:10-cv-01759-MCE-GGH

Plaintiffs,

v.

**ORDER OF DISMISSAL**

KYMBER HOGGATT; CHARLES  
SCHINDLER; KELLI CLIFFORD;  
ELIZABETH SUTTER; and DOES  
1 through 10, inclusive,

Defendants.

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On February 1, 2011, Plaintiffs filed a document entitled  
Stipulation of Dismissal and [Proposed] Order (ECF No. 43) asking  
that the Court dismiss the sole remaining Defendant in this  
matter, Elizabeth Sutter, so that this case can be closed.

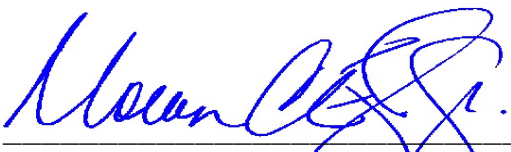
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1 According to the Declaration of Kelley S. Kern filed in support  
2 of that request, Plaintiffs' counsel made repeated attempts (both  
3 by telephone and email) to contact Defendant Sutter, who  
4 represented herself in this matter in pro se, requesting that she  
5 stipulate to her dismissal. According to Ms. Kern, she was  
6 unable to get any response. Consequently, Ms. Kern asked that  
7 the Court dismiss the case, without prejudice, as against Ms.  
8 Sutter despite her failure to sign off on the stipulation.

9 Then, on February 3, 2011, the Court received an additional  
10 Stipulation and Proposed Order that had been signed by Ms. Sutter  
11 after attempts to contact her finally proved successful. The  
12 case is consequently dismissed without prejudice as to Defendant  
13 Elizabeth Sutter. In addition, since the Court can now close  
14 this matter in its entirety given the fully executed Stipulation,  
15 the Order to Show Cause hearing scheduled for February 10, 2011  
16 is hereby vacated. The Clerk of Court is directed to close the  
17 file.

18 IT IS SO ORDERED.

19 Dated: February 8, 2011

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22 MORRISON C. ENGLAND, JR.  
23 UNITED STATES DISTRICT JUDGE  
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