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

Scott N. Johnson,

Plaintiff,

vs.

Rigoberto's Taco Shop, et al,

Defendants.

Case No.: CIV.S 10-02111-FCD-KJM

**REQUEST RE DISMISSAL OF DAVID
HESS; LINDA HESS; ORDER**

Complaint Filed: AUGUST 6, 2010

**CASE TO REMAIN OPEN WITH
REMAINING DEFENDANTS**


IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendants (David Hess; Linda Hess) be and are hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41(a)(2). This case is to remain open with remaining Defendants. Defendants (David Hess; Linda Hess) are dismissed because these Defendants are not proper parties to this action.

Dated: October 5, 2010

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

IT IS SO ORDERED.

Dated: October 6, 2010


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE