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9 Attorney for Plaintiff Scott N. Johnson

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

13 Scott N. Johnson

14 Plaintiff,

15 vs.

16 Christopher Kate, et al,

17 Defendants

18 Case No.: CIV.S 10-cv-02368-MCE-KJN

19 **REQUEST RE DISMISSAL SHOOTERS**
BILLIARDS, LLC AND ORDER

20 Complaint Filed: SEPTEMBER 2, 2010

21 **CASE TO REMAIN OPEN WITH**
REMAINING DEFENDANTS

22 **IT IS HEREBY REQUESTED** by Plaintiff, Scott N. Johnson, that Defendant (Shooters
 23 Billiards, LLC, Individually and d/b/a Diamond Billiards) be and is hereby dismissed **WITH**
 24 **PREJUDICE** pursuant to FRCP 41 (a)(2).

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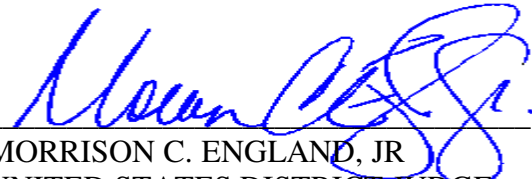
1 This case is to remain open with remaining Defendants. Defendant (Shooters Billiards, LLC,
2 Individually and d/b/a Diamond Billiards) is dismissed because this Defendant is not a proper
3 party.

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5 Dated: November 13, 2010

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

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7 **IT IS SO ORDERED.**

8 DATED: November 16, 2010

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