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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICIA TONI KOEPESELL,
an individual,

NO. CIV. S-11-1772 LKK/DAD

Plaintiff,

v.

O R D E R

USAA aka UNITED SERVICES
AUTOMOBILE ASSOCIATION, a
form of business unknown and
USAA FEDERAL SAVINGS BANK,
a form of business unknown,

Defendants.

_____ /

Plaintiff Patricia Toni Koepsell requests an order voluntarily
dismissing this action, with prejudice, and with each side to bear
its own costs, pursuant to Fed. R. Civ. P. 41(a)(2). The sole
remaining defendant, USAA Federal Savings Bank, has not filed an
answer or a motion for summary judgment in this case. Plaintiff
therefore may dismiss this action as of right, even without a court

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1 order, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).¹

2 Accordingly,

3 1. Plaintiff's motion (Dkt. No. 30), is **GRANTED**, and this
4 action is dismissed in its entirety, with prejudice, with each side
5 to bear its own costs;

6 2. The July 9, 2012 hearing on this motion is **VACATED**; and

7 3. All other pending motions in this case (Dkt. Nos. 19, 28
8 and 29), including those pending before the Magistrate Judge, are
9 **DENIED** as moot.

10 IT IS SO ORDERED.

11 DATED: May 24, 2012.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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¹ Plaintiff's request may therefore be granted without the need for a hearing or adversary briefing.