

1 Scott N. Johnson, Esq. (SBN 166952)
2 Disabled Access Prevents Injury, Inc.
3 5150 Fair Oaks Blvd, Suite 101
4 PMB #253
5 Carmichael, CA 95608-5758
6 Telephone (916) 485-3516
7 Facsimile (916) 481-4224
8 Email scottjohnson@dapiinc.com

9 Attorney for Plaintiff
10 Scott N. Johnson

11 **UNITED STATES DISTRICT COURT**
12 **OF THE EASTERN DISTRICT OF CALIFORNIA**

13 Scott N. Johnson) Case No. **2:12-cv-01403-WBS-JFM**
14 Plaintiff;)
15 v.) **ORDER RE: REQUEST FOR DISMISSAL**
16 Cafe Fiore, Inc., et al) **Dismissal of Defendant**
17 Defendants.) **Nephele's Restaurant, Inc.**
18) **Without Prejudice**
19) Case to Remain Open with
20) Remaining Defendants
21)
22)

23 IT IS SO ORDERED THAT Defendant, Nephele's Restaurant,
24 Inc., is hereby dismissed from the above-entitled action
25 without prejudice pursuant to Fed. R. Civ. P. 41(a)(1).
26 This case is to remain open with remaining Defendants.

27 Date: March 7, 2013

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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE