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5 Attorneys for Plaintiff
 6 The Niello Company

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 THE NIELLO COMPANY, a California
 12 corporation,

13 Plaintiff,

14 v.

15 EPICOR SOFTWARE CORPORATION, a
 16 Texas corporation,

17 Defendant.

Case No. 2:16-CV-01744-LEK

NOTICE OF VOLUNTARY DISMISSAL
 AND ORDER THEREON

18 NOTICE IS HEREBY GIVEN that pursuant to Fed.R.Civ.Pro. 41(a) plaintiff voluntarily
 19 dismisses the above-captioned action with prejudice.

20 Dated: November 9, 2016

MURPHY AUSTIN ADAMS SCHOENFELD LLP

21
 22 By: Dennis R. Murphy
 23 DENNIS R. MURPHY
 Attorneys for Plaintiff
 The Niello Company

24 **IT IS SO ORDERED.**

25
 26 Dated: 11/9/16

27 Leslie E. Kobayashi
 Leslie E. Kobayashi
 United States District Court Judge