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 5 Attorneys for Plaintiff
 6 MICHAEL GARCIA AND COURTNEY GARCIA

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

10 MICHAEL GARCIA AND COURTNEY
 11 GARCIA,
 12 Plaintiffs,
 13 v.
 14 FIDELITY MORTGAGE COMPANY, et al.
 15 Defendants.

Case No. C 05-5144 MEJ
 Related Cases:
 No. C-05-4990 MEJ
 No. C-05-4725 MEJ

**NOTICE OF DISMISSAL OF
 CERTAIN DEFENDANTS**

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 17 Plaintiffs MICHAEL GARCIA and COURTNEY GARCIA hereby give notice that the
 18 above-captioned matter be and hereby is dismissed without prejudice pursuant to FRCP 41(a)(1)
 19 against all remaining defendants except defendant Joel Atwater, whose default was entered on
 20 July 24, 2006. Each party to bear their own costs and attorney fees.

21 Dated: February 27, 2009

LAW OFFICES OF ROBERT F. KANE
 Attorneys for Plaintiff
 MICHAEL GARCIA AND COURTNEY GARCIA

22
 23 By 
 24 ROBERT F. KANE



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