

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**BIRNBERG & ASSOCIATES
CORY A. BIRNBERG (SBN 105468)
JOSEPH SALAMA (SBN 212225)
703 Market Street Suite 600
San Francisco, California 94103
Telephone Number: (415) 398-1040
Facsimile Number: (415) 398-2001**

**Attorneys for Plaintiffs:
SHOGREN LIVING TRUST; PATRICK DAVIS; STEPHEN MELZ; F/V
GLADNIK, LLC; F/V MIDORI, LLC; F/V CHARLIE D., LLC; F/V DONITA,
LLC; BOB SILVA; GALE FORCE, INC.; F/V INTREPID, INC.; BRADFORD
FLOYD; DANNY MURRAY; DOMONIC DAPETTI; CHAD DALHBERG**

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

**CHELSEA, LLC, MARK RUSSO,
ALLEN LORETZ, IVAN SIMPSON,
individually and on
behalf of all others similarly situated,**

Plaintiffs,

v.

**REGAL STONE, LTD., HANJIN
SHIPPING, CO., LTD., CONTI CAIRO
KG, NSB NEIDERELBE, SYNERGY
MARITIME, LTD. *In Personam*; M/V
COSCO BUSAN, their engines, tackle,
equipment, appurtenances, freights, and
cargo *In Rem*,**

Defendants.

) **Case No. C-07-5800-SC**
)
) **Related case 07-05926-SC**
)
) **PLAINTIFF ROSE MARIE, INC.'S**
) **DISMISSAL WITHOUT PREJUDICE**
)
) [FRCP 41(a)]

///
///
///
///
///

BIRNBERG &
ASSOCIATES
703 MARKET STREET
SUITE 600
SAN FRANCISCO
CA, 94103
TEL (415) 398-1040
FAX (415) 398-2001

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 07 -05926-SC

**SHOGREN LIVING TRUST; PATRICK)
DAVIS; ROSE MARIE, INC.; STEPHEN)
MELZ; F/V GLADNIK, LLC; F/V)
MIDORI, LLC; F/V CHARLIE D., LLC;)
F/V DONITA, LLC; BOB SILVA; GALE)
FORCE, INC.; F/V INTREPID, INC.;)
BRADFORD FLOYD; DANNY)
MURRAY; DOMONIC DAPETTI;)
CHAD DALHBERG;)**

Plaintiffs,

v.

**REGAL STONE, LTD.; HANJIN)
SHIPPING, CO., LTD.; JOHN COTA;)
M/V COSCO BUSAN, Official No.)
9231743 her engines, apparel, furniture,)
etc, *in rem*;)**

Defendants.

COMES NOW PLAINTIFF ROSE MARIE, INC., by and through its attorney of record Cory A. Birnberg of Birnberg & Associates and does hereby dismiss its complaint, filed on November 21, 2007, without prejudice, pursuant to Federal Rule of Civil Procedure 41, subsection (a)(1)(A)(i). Defendants have not been served nor have they responded to the complaint. This dismissal only applies to Plaintiff ROSE MARIE, INC. and not the other Plaintiffs.

Dated: January 28, 2008

BIRNBERG & ASSOCIATES

By: /s/Cory Birnberg
Cory A. Birnberg
Attorney for Plaintiffs

BIRNBERG &
ASSOCIATES
703 MARKET STREET
SUITE 600
SAN FRANCISCO
CA, 94103
TEL (415) 398-1040
FAX (415) 398-2001

