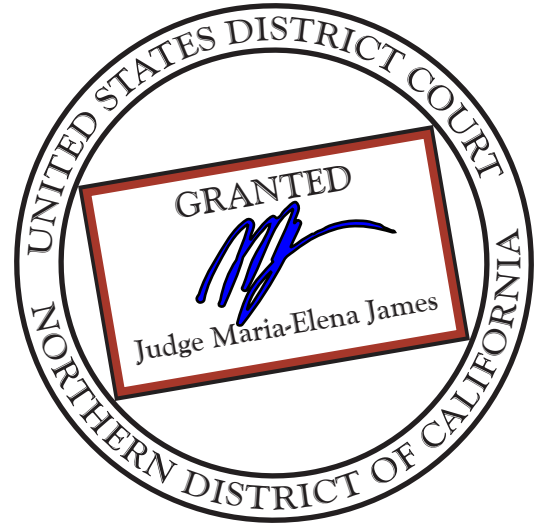


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 12 **UNITED STATES DISTRICT COURT**
 13
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 LEWIS G. SHEPLER II, M.D.,
 16
 17 Plaintiff,

15 **Case No. C08-00240 MEJ**

16 **PLAINTIFF'S NOTICE OF**
 17 **DISMISSAL**

18 vs.

19 UNUMPROVIDENT CORPORATION,
 20 THE PAUL REVERE LIFE INSURANCE
 21 COMPANY, NEW YORK LIFE
 22 INSURANCE COMPANY, and UNUM
 23 GROUP, inclusive,

24 Defendants.

25 _____ /

26 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

27 PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1),
 28 Plaintiff LEWIS G. SHEPLER, II, M.D., dismisses this action, in its entirety, with prejudice.

Defendants UNUMPROVIDENT CORPORATION, THE PAUL REVERE LIFE
 INSURANCE COMPANY, NEW YORK LIFE INSURANCE COMPANY, and UNUM GROUP,
 have been served with process, and have not filed an answer or motion for summary judgment.
 Plaintiff has not dismissed any other action based on or including the same claim or claims as

1 those presented in this action.

2 Dated: April 18, 2011

KNOX RICKSEN LLP

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By: /s/ Thomas E. Fraysse

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Thomas E. Fraysse
Attorneys for Plaintiff

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LEWIS G. SHEPLER II, M.D.

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