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8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 NORTHERN CALIFORNIA IBEW 595-NECA
 11 TRUST FUNDS; ELECTRICAL INDUSTRY
 12 SERVICE CORPORATION; VICTOR UNO in
 13 his capacity as Trustee of the IBEW 595
 14 TRUST FUNDS and Officer of the EISC.; and
 15 DON CAMPBELL in his capacity as Trustee of
 16 the IBEW 595 TRUST FUNDS and Officer of
 17 the EISC.;

18 Plaintiffs,

19 v.

20 HUTCHINSON & HUTCHINSON
 21 ELECTRICAL CONSTRUCTION, INC., a
 22 California Corporation, and LENNARD
 23 HUTCHINSON, Individually, d/b/a
 24 HUTCHINSON & HUTCHINSON
 25 ELECTRICAL CONSTRUCTION,
 26 INC., and/or HUTCHINSON &
 27 HUTCHINSON Electrical Construction,

28 Defendants.

JUDGE SAMUEL CONTI

Case No: 08-05114 SC

**REQUEST FOR VOLUNTARY
 DISMISSAL WITHOUT
 PREJUDICE PURSUANT TO
 FEDERAL RULE OF CIVIL
 PROCEDURE 41(A)(2) AND
 [PROPOSED] ORDER**

25 Now comes Plaintiffs, pursuant to Fed. R. Civ. Pro. 41(a)(2), and respectfully request that
 26 the Court dismiss all claims in the above-captioned action without prejudice.

27 Based upon this Court's prior stay of this matter, Plaintiffs pursued a related cause of
 28

1 action in state court and received a default judgment against the Defendant Hutchinson &
2 Hutchinson Electrical Construction, Inc. on March 3, 2010, but due to issues related to service
3 upon Defendant Lennard Hutchinson, Plaintiffs requested and were granted a Dismissal Without
4 Prejudice of Defendant Lennard Hutchinson on November 17, 2009, in the state action. For the
5 same reasons, Plaintiffs now seek the same dismissal in this matter.
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8 Dated: April 22, 2010

LEONARD CARDER, LLP

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13 By: /s/ Shawn C. Groff
14 Shawn C. Groff
15 Attorneys for Plaintiffs



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ORDER

The Court hereby dismisses all claims by Plaintiffs against Defendants in the above referenced matter without prejudice.

Date:

SAMUEL CONTI

UNITED STATES DISTRICT COURT