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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 W. SCOTT HARKONEN,

Case No: CV 08-5458-MHP

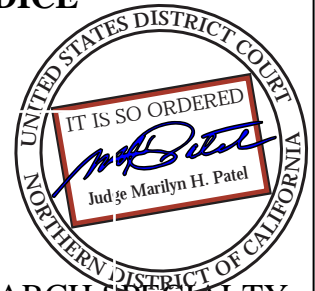
16 Plaintiff,

**PLAINTIFF W. SCOTT HARKONEN'S
 NOTICE OF DISMISSAL OF ACTION
 WITHOUT PREJUDICE**

17 vs.

18 ARCH SPECIALTY INSURANCE
 19 COMPANY, a Wisconsin corporation,

20 Defendant.



21 TO THIS HONORABLE COURT AND TO DEFENDANT ARCH SPECIALTY
 22 INSURANCE COMPANY AND ITS COUNSEL OF RECORD:

23 PLEASE TAKE NOTICE THAT pursuant to Federal Rule of Civil Procedure
 24 41(a)(1)(A)(i), plaintiff W. Scott Harkonen hereby dismisses this action in its entirety
 25 WITHOUT PREJUDICE.

26 DATED: January 29, 2009

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

27 By: /s/ Marcus S. Topel
 28 MARCUS S. TOPEL
 Counsel for Plaintiff
 W. SCOTT HARKONEN