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LAW CORPORATION  
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5 Attorneys for Plaintiffs  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11 BOARD OF TRUSTEES OF THE U.A. LOCAL ) No. 09-1837 SC  
12 NO. 355 HEALTH AND WELFARE TRUST )  
13 FUND; BOARD OF TRUSTEES OF THE U.A. ) **NOTICE AND ORDER RE**  
14 LOCAL NOS. 343 AND 355 DEFINED ) **DISMISSAL**  
15 CONTRIBUTION PLAN; BOARD OF TRUSTEES )  
16 OF THE NORTHERN CALIFORNIA/NORTHERN )  
17 NEVADA UTILITY JOURNEYMAN AND )  
18 APPRENTICE TRAINING TRUST FUND; AND )  
19 BOARD OF TRUSTEES OF THE U.A. LOCAL )  
20 NO. 355 LABOR-MANAGEMENT COOPERATION )  
21 COMMITTEE TRUST FUND, )  
Plaintiffs, )  
v. )  
LANDCON, INC., A CALIFORNIA )  
CORPORATION, )  
Defendant. )

22 PLAINTIFFS HEREBY request that the above-entitled action be  
23 dismissed pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of  
24 Civil Procedure.

25 Dated: November 17, 2009

McCARTHY, JOHNSON & MILLER  
LAW CORPORATION

26 **IT IS SO ORDERED**

27 *[Signature]*  
28 U.S. DISTRICT JUDGE

By: *Lori Nord*

LORI A. NORD  
Attorneys for Plaintiffs

1 SO ORDERED:

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3 Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE  
United States District Court

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DECLARATION OF SERVICE BY MAIL

I am a citizen of the United States and a resident of the State of California. I am over the age of eighteen years and not a party to the within matter. My business address is 595 Market Street, Suite 2200, San Francisco, California 94105.

I am familiar with the practice of McCarthy, Johnson & Miller Law Corporation for collection and processing of correspondence for mailing with the United States Postal Service. It is the practice that correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

I served the following document(s) by placing a true copy of each such document for collection and mailing, in the course of ordinary business practice, with other correspondence of McCarthy, Johnson & Miller Law Corporation, located at 595 Market Street, Suite 2200, San Francisco, California 94105, on November 17, 2009. enclosed in a sealed envelope with postage fully prepaid, addressed in the manner set forth immediately below this declaration.

Document(s) served:

**NOTICE AND ORDER RE DISMISSAL**

I declare under penalty of perjury that the foregoing is true and correct.

Dated at San Francisco, California, on November 17, 2009.

By Alice Watson  
ALICE WATSON

Chris Reves, Officer  
Landcon, Inc.  
427 W. Seaview Drive  
Benicia, CA 94510