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5 Attorneys for Plaintiff

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 7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 FEDERAL DEPOSIT INSURANCE)
 CORPORATION, in its capacity as)
 11 Receiver for INDYMAC BANK,)
 12)
 Plaintiff,)

CASE NO. CV 09-3732 WHA
 REQUEST FOR DISMISSAL
 AS TO JAMES BERT COKER

13 vs.

14 JAMES BERT COKER; CAROL)
 ZHANG; HARVEY HOCHAUSER;)
 15 MARCIE HOCHAUSER)
 16)
 Defendants.)

DATE: November 19, 2009
 TIME: 3:00 p.m.
 CRTRM: 9, 19th Floor
 HONORABLE WILLIAM ALSUP

17
 18 COMES NOW Plaintiff and hereby dismisses, without prejudice,
 19 defendant James Bert Coker only.

20
 21 DATED: November 4, 2009

SNIPPER, WAINER & MARKOFF

22 BY:

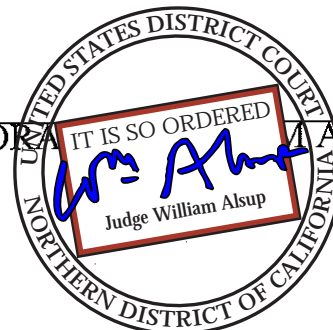
23 MAURICE WAINER
 Attorneys for Plaintiff

24 **IT IS SO ORDERED.**

25 DATE: November 6, 2009.

BY:

26 THE HONORABLE WILLIAM ALSUP



27
 28 C:\MY FILES\INDYMAC v coker zhang hochausser\dismiss coker.wpd

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over
4 the age of 18 and not a party to the within action, my business address is 270
North Canon Drive, Penthouse, Beverly Hills, California 90210.

5 On November 4, 2009, I served the foregoing document described as:
6 **REQUEST FOR DISMISSAL AS TO JAMES BERT COKER** on interested
parties in this action by placing [] the original thereof [] a true copy thereof
7 enclosed in sealed envelopes addressed as follows:

8 J. Timothy Lane
319 Diablo Road, Suite 222
9 Danville, CA 94526

CAROL ZHANG
4270 Antique Place
Stockton, CA 95219

10 HARVEY HOCHAUSER
1930 Whitecliff Way #1
11 Walnut Creek, CA 94596

MARCIE HOCHAUSER
1930 Whitecliff Way #1
Walnut Creek, CA 94596

12
13 [] **BY MAIL:** I deposited such envelope in the mail at Los Angeles,
California. The envelope was mailed with postage thereon fully prepaid. I am
14 "readily familiar" with the firm's practice of collection and processing
correspondence for mailing. It is deposited with U.S. postal service on that same
15 day in the ordinary course of business. I am aware that on motion of party served,
service is presumed invalid if postal cancellation date or postage meter date is more
16 than 1 day after date of deposit for mailing in affidavit.

17 [] **BY FEDERAL EXPRESS:** I placed such envelope for collection by
Federal Express for overnight delivery by next business morning on this date
18 following ordinary business practices.

19 [] **BY PERSONAL SERVICE:** I delivered such envelope by hand to
the offices of the addressee.

20 [] **BY FAX:** I faxed such documents pursuant to Los Angeles County
21 Rules of Court §520(c)(4) to the fax numbers listed on the attached service list.

22 [] **FEDERAL:** I declare that I am employed in the office of a member of
the bar of this court at whose direction the service was made.

23 Executed on November 4, 2009, at Los Angeles, California.

24
25 
26 E. BRENNINKMEIJER