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1	LAW OFFICE OF SHARON L. LAPIN SHARON L. LAPIN SBN 165919	STATES DISTRICT COLLER
2	110 LOCH LOMOND DR. SAN RAFAEL, CA 94901	
3	(415) 258-1651 e-mail: lapinlaws@juno.com	IT IS SO ORDERED
4	e-man. <u>hapimaws(@juno.com</u>	
5	Attorney for Plaintiff	Z Judge Vaughn R Walker
6		
7	UNITED STATES DISTRICT OURT	
8	NORTHERN DIST	TRICT OF CALIFORNIA RIC
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10	DEBRA K. HALL,	CASE NO.: 3:09-CV-04760- EDL VRW
11	Plaintiff,	PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF CAUSE OF
12	V.	ACTION FOR VIOLATION OF THE TRUTH IN LENDING ACT; CAUSE OF
13	PLM LENDER SERVICES, INC.; PERFORMANCE MORTGAGE	ACTION FOR VIOLATION OF
14	CERTIFIED FUND, LLC; VISIONARY	CALIFORNIA ROSENTHAL ACT; CAUSE OF ACTION FOR NEGLIGENCE; CAUSE
15	MILESTONES, INC.; ABIDA SULTANA KHAN; JAMES HAYES and DOES 1-20	OF ACTION FOR VIOLATION OF THE REAL ESTATE SETTLEMENT
16	inclusive,	PROCEDURES ACT; CAUSE OF ACTION FOR BREACH OF FIDUCIARY DUTY;
17	Defendants/	CAUSE OF ACTION FOR FRAUD; CAUSE OF ACTION FOR VIOLATIONS OF
18		CALIFORNIA BUSINESS & PROFESSIONS; CAUSE OF ACTION FOR
19		BREACH OF CONTRACT; CAUSE OF ACTION FOR BREACH OF IMPLIED
20		COVENANT OF GOOD FAITH AND FAIR DEALING; and CAUSE OF WRONGFUL
21		FORECLOSURE, INSOFAR AS THEY RELATE TO DEFENDANTS: PLM
22		LENDER SERVICES, INC.; PERFORMANCE MORTGAGE
23		CERTIFIED FUND, LLC; VISIONARY MILESTONES, INC.; ABIDA SULTANA
24		KHAN; JAMEŚ HAYES, AND DOES 1-20 INCLUSIVE
25		[FRCP 41(a)(l)(l)] ACTION FILED: OCTOBER 6, 2009
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20	PLAINTIFF'S NOTICE OF DISMISSAL W	ITHOUT PREJUDICE OF ALL CAUSES OF ACTION
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1	PLEASE TAKE NOTICE that Plaintiff, Debrah K. Hall, hereby dismisses, without		
2	prejudice, her Cause of Action for Violation of the Truth In Lending Act (Count 1 of the First		
3	Amended Complaint), her Cause of Action for Violation of California Rosenthal Act (Count 2 of		
4	the First Amended Complaint), her Cause of Action for Negligence (Count 3 of the First		
5	Amended Complaint), her Cause of Action for Violation of the Real Estate Settlement		
6	Procedures Act ("RESPA") (Count 4 of the First Amended Complaint), her Cause of Action for		
7	Breach of Fiduciary Duty (Count 5 of the First Amended Complaint), her Cause of Action for		
8	Fraud (Count 6 of the First Amended Complaint), her Cause of Action for Violation of California		
9	Business and Professions Code (Count 7 of the First Amended Complaint) her Cause of Action		
10	for Breach of Contract (Count 8 of the First Amended Complaint), her Cause of Action for		
11	Breach of Good Faith and Fair Dealing (Count 9 of the First Amended Complaint), and her		
12	Cause of Action for Wrongful Foreclosure (Count 10 of the First Amended Complaint) as to		
13	Defendants PLM Lender Services, Performance Mortgage Certified Fund, LLC, Visionary		
14	Milestones, Inc., Abida Sultana Khan, James Hayes, and Does 1-20 inclusive.		
15	DATED December 16, 2009		
16			
17	Respectfully submitted		
18	/s/Sharon I. Lanin		
19	<u>/s/Sharon L. Lapin</u> SHARON L. LAPIN Attorney for Plaintiff		
20	Debra Hall		
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28	2 PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF ALL CAUSES OF ACTION		

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1	CERTIFICATE OF SERVICE		
2	STATE OF CALIFORNIA)		
3)ss. COUNTY OF SACRAMENTO)		
4 5	I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of 18 years and not a party to the within above-entitled action; my business address is 2882 Prospect Park Drive, Suite 350, Rancho Cordova, CA 95670.		
6 7	On this date I served the foregoing document described as follows: PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF TILA AND RESPA CAUSES OF ACTION on the following interested parties in this action:		
8	SEE ATTACHED SERVICE LIST		
9	The following is the procedure in which service of this document was effected:		
10	Generation Facsimile, Time: P.M.; Date:		
11	General Express, Priority Overnight		
12	United Parcel Service, Next Day Air		
13	□ United States Mail,		
14 15	✓ By Electronic Mail - I hereby certify that I electronically transmitted the attached document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of Notice of Electronic Filing to the above listed CM/ECF registrants.		
16 17	I declare under penalty of perjury that the foregoing is true and correct under the laws of the State of California and that this declaration was executed on December 16, 2009 at Sacramento, California.		
18	/-/Datin C. Educate		
19	<u>/s/Robin C. Edwards</u> ROBIN C. EDWARDS		
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28	3 PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF ALL CAUSES OF ACTION		

1	SERVICE LIST		
2	Phillip Mark Adleson, Esq.	Representing Defendant:	
3	Adleson Hess & Kelly, APC 577 Salmar Avenue, 2nd Floor	PLM Lender Services, Inc.	
4	Campbell, CA 95008 padleson@ahk-law.com		
5			
6	Dennis H. Doss, Esq.	Representing Defendant:	
7	Doss Law, ALC 2020 Main Street, Suite 950	Performance Mortgage Certified Fund, LLC	
8 9	Irvine, CA 92614 <u>dennis@dosslaw.com</u>		
10			
11	Lise L Perrolle Esc	Representing Defendant:	
12	Lisa J Parrella, Esq. Adleson Hess & Kelly, APC 577 Salmar Avenue, 2nd Floor	PLM Lender Services, Inc.	
13	Campbell, CA 95008	i Livi Lender Services, me.	
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28	4 PLAINTIFF'S NOTICE OF DISMISSAL WITHOU	T PREJUDICE OF ALL CAUSES OF ACTION	