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9 *Attorneys for Plaintiff Johnny Wang, on his own
 behalf and behalf of all others similarly situated,*

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

13 JOHNNY WANG, an individual, on his
 own behalf and on behalf of all others
 similarly situated,

14 Plaintiff,

15 v.

16 ASSET ACCEPTANCE, LLC, and
 17 TRANS UNION, LLC, Delaware limited
 liability companies, and DOES 1-100,
 18 inclusive,

19 Defendants.

No. 09-04797 SI

Judge Susan Illston

**NOTICE OF STIPULATED DISMISSAL
 OF PLAINTIFF’S THIRD CAUSE OF
 ACTION**

20 **NOTICE OF STIPULATED DISMISSAL**

21 WHEREAS, Plaintiff alleges a cause of action under the California’s Consumer Credit
 22 Reporting Agencies Act (“CCRAA”) (Cal. Civ. Code §§ 1785.1-1785.36) in his First Amended
 23 Complaint;

24 WHEREAS, Defendant Asset Acceptance, LLC has moved to dismiss Plaintiff’s
 25 CCRAA claim;

26 WHEREAS, Plaintiff is contemplating the retention of new counsel (Parisi & Havens,
 27 LLP) who have indicated they wish to delay further interpretation of the CCRAA by the Court to
 28 provide them with additional time to review this case, and the applicable law and evidence, and

1 to preserve Plaintiff's options with respect to litigating his CCRAA to the greatest extent
2 possible;

3 WHEREAS, Asset has no objection;

4 WHEREAS, Federal Rule of Civil Procedure 15(a) is the appropriate mechanism where a
5 party desires to eliminate one or more but less than all of several claims, without entirely
6 dismissing any of the defendants, *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683,
7 688 (9th Cir. 2005), and Federal Rule 15(a)(2) permits a plaintiff to amend his pleadings "with
8 the opposing party's written consent";

9 THEREFORE, these parties stipulate to amend Plaintiff's First Amended Complaint to
10 dismiss, without prejudice, and withdraw the CCRAA claim pursuant Rule 15(a)(2).

11 Dated: June 11, 2010

By: s/Ethan Preston

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18 Dated: June 11, 2010

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