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6 Attorneys for Plaintiffs

7 UNITED STATES DISTRICT COURT

8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 BAY AREA PAINTERS AND TAPERS  
 10 PENSION TRUST FUND, et al.,

Case No.: C10-3895 TEH

11 Plaintiffs,

**NOTICE OF VOLUNTARY DISMISSAL**

12 v.

13 WAYNE JOSEPH ESPINOSA, individually  
 and *dba* PROFESSIONAL PAINTERS &  
 14 DECORATORS, *aka* PROFESSIONAL  
 PAINTERS & DECORATORS OF CA, *aka*  
 15 PROFESSIONAL PAINTERS OF CAL, *aka*  
 SAN FRANCISCO RESTORATION,

16 Defendant.

17  
 18  
 19 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs BAY AREA  
 20 PAINTERS AND TAPERS PENSION TRUST FUND, et al., voluntarily dismiss, without  
 21 prejudice, their claim against Defendant WAYNE JOSEPH ESPINOSA, individually and doing  
 22 business as PROFESSIONAL PAINTERS & DECORATORS, also known as PROFESSIONAL  
 23 PAINTERS & DECORATORS OF CA, also known as PROFESSIONAL PAINTERS OF CAL,  
 24 also known as SAN FRANCISCO RESTORATION. Defendant has not moved for summary  
 25 judgment, and Plaintiffs have not previously filed or dismissed any similar action against  
 26 Defendant.

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1 It is therefore requested that this action be dismissed without prejudice, and that the Court  
2 shall retain jurisdiction over this matter.

3 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-  
4 entitled action, and that the foregoing is true of my own knowledge.

5 Executed this 30th day of December, 2010, at San Francisco, California.

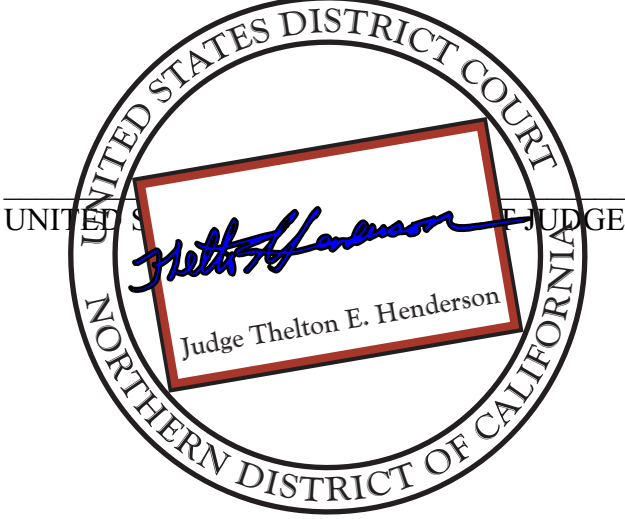
6 SALTZMAN & JOHNSON  
7 LAW CORPORATION

8 By: \_\_\_\_\_ /s/ \_\_\_\_\_  
9 Muriel B. Kaplan  
10 Attorneys for Plaintiffs

11 IT IS SO ORDERED.

12 This case is dismissed without prejudice and the Court shall retain jurisdiction over this  
13 matter.

14  
15 Date: 01/03/2011 \_\_\_\_\_



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