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7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10

11	THE BOARD OF TRUSTEES, in their	)	No. 11-cv-05357-MEJ
	capacities as Trustees of the LABORERS	)	
12	HEALTH AND WELFARE TRUST FUND	)	
	FOR NORTHERN CALIFORNIA; LABORERS	)	
13	VACATION-HOLIDAY TRUST FUND FOR	)	<b>NOTICE OF DISMISSAL WITHOUT</b>
	NORTHERN CALIFORNIA; LABORERS	)	<b>PREJUDICE; <del>PROPOSED</del> ORDER</b>
14	PENSION TRUST FUND FOR NORTHERN	)	<b>THEREON</b>
	CALIFORNIA; and LABORERS TRAINING	)	
15	AND RETRAINING TRUST FUND FOR	)	
16	NORTHERN CALIFORNIA,	)	
17		)	
	Plaintiffs,	)	
18		)	
	v.	)	
19		)	
	TITAN DVBE, INCORPORATED, a California	)	
20	Corporation,	)	
21		)	
	Defendant.	)	
22		)	

23  
 24 NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1),  
 25 Plaintiffs voluntarily dismiss the above-captioned action *without prejudice*. The parties have  
 26 resolved this matter and Defendant is currently making payments to Plaintiffs. Said voluntary  
 27 dismissal without an order of the Court is appropriate, since Defendant has not filed an answer or  
 28 responsive pleading in this matter.

1 Pursuant to the resolution of this matter, the parties request that the Court maintain  
2 jurisdiction over this case for six (6) months from December 22, 2011.

3 A Case Management Conference has been scheduled for February 16, 2012. With this  
4 Request for Dismissal, Plaintiffs also request that said Case Management Conference be vacated.

5 Dated: December 22, 2011

6 WEINBERG, ROGER & ROSENFELD  
7 A Professional Corporation

8 By: /s/ Concepcion E. Lozano-Batista  
9 CONCEPCION E. LOZANO-BATISTA  
10 Attorneys for Plaintiffs

11 ~~PROPOSED~~ ORDER

12 The parties have resolved this matter and requested that this Court maintain jurisdiction  
13 over the case. IT IS HEREBY ORDERED that this case be dismissed pursuant to the foregoing  
14 Order without prejudice. The Court shall maintain jurisdiction over this case until June 22, 2012.  
15 The Case Management Conference set for February 16, 2012 is hereby vacated.

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17  
18 Dated: 1/3/12

  
19 \_\_\_\_\_  
20 MARIA ELENA JAMES  
21 U.S. DISTRICT JUDGE

22 129239/649473