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8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 DISTRICT COUNCIL 16 NORTHERN
 CALIFORNIA HEALTH AND WELFARE
 11 TRUST FUND, its JOINT BOARD OF
 TRUSTEES, and DOUG CHRISTOPHER as
 12 Trustee; et al.,

Case No.: C12-0571 JSW

NOTICE OF VOLUNTARY DISMISSAL

13 Plaintiffs,

14 v.

15 D.S. BAXLEY, INC., a California Corporation,

16 Defendant.

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PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs DISTRICT COUNCIL 16 NORTHERN CALIFORNIA HEALTH AND WELFARE TRUST FUND, et al., voluntarily dismiss, without prejudice, their claim against Defendant D.S. BAXLEY, INC., a California corporation. Defendant has neither served an answer nor moved for summary judgment, and Plaintiffs have not previously filed or dismissed any similar action against Defendant.

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

3 Executed this 21st day of March, 2012, at San Francisco, California.

4 SALTZMAN & JOHNSON
5 LAW CORPORATION

6 By: _____/s/
7 Michele R. Stafford
8 Attorneys for Plaintiffs

9 **Although leave of court is not necessary,**

10 **IT IS SO ORDERED.**

11 This case is dismissed without prejudice.

12 Date: March 22, 2012

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14 _____
15 UNITED STATES DISTRICT COURT JUDGE

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