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6 Attorneys for Defendant
ALLSTATE LIFE INSURANCE COMPANY

Dated: September 27, 2012

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 ROBERT VON MERTA, individually and as
successor in interest, heir, beneficiary, personal
12 representative and/or administrator to
BARBARA ANN VON MERTA, deceased,
13 and the Estate of BARBARA ANN VON
MERTA, on Behalf of Himself and All Others
14 Similarly Situated,

15 Plaintiff,

16 v.

17 Allstate LIFE INSURANCE COMPANY, an
Illinois corporation,

18 Defendant.
19

Case No. CV 12 4125 MMC

**DEFENDANT ALLSTATE LIFE
INSURANCE COMPANY'S NOTICE
OF WITHDRAWAL OF MOTION TO
DISMISS CLASS ACTION
COMPLAINT AND MOTION TO
STRIKE**

Date: October 19, 2012
Time: 9:00 a.m.
Judge: Hon. Maxine Chesney
Date Action Filed: August 6, 2012

20 TO ALL PARTIES AND ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE THAT Defendant ALLSTATE LIFE INSURANCE
22 COMPANY hereby withdraws its Motion to Dismiss Class Action Complaint and Motion to
23 Strike since Plaintiff ROBERT VON MERTA filed his First Amended Complaint on September
24 20, 2012.

25 DATED: September 27, 2012

SEYFARTH SHAW LLP

26 By: _____ /s/
Giovanna A. Ferrari
27 Attorneys for Defendant
ALLSTATE LIFE INSURANCE COMPANY

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