

1 BRIAN A. ANGELINI, ESQ. [SBN 234072]
 ANGEL AT LAW, INC., APLC
 2 8484 Wilshire Blvd., Suite 220
 Beverly Hills, CA 90211
 3 Telephone: (310) 686-1127
 4 Facsimile: (310) 507-0280
 bangelini@angelatlaw.com

5 Attorney for Plaintiffs

6

7

8

9

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
 DISTRICT OF CALIFORNIA**

10

MIGUEL DUENAS, an Individual; CASE NO.: 3:12-cv-04251-SI
 11 ROSALINA DUENAS, an Individual

12

Plaintiffs,

13

vs.

14

BANK OF AMERICA, N.A., a national
 banking association; AND DOES 1-20,
 15 INCLUSIVE,

16

Defendants.

17

18

19

PLEASE TAKE NOTICE that Plaintiffs MIGUEL DUENAS and ROSALINA
 20 DUENAS (hereinafter “Plaintiffs”), pursuant to Federal Rule of Civil Procedure 41(a)(1),
 21 hereby voluntarily dismiss all claims in this action *with prejudice*.

22

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

23

(a) **Voluntary Dismissal.**

24

(1) *By the Plaintiff.*

25

(A) *Without a Court Order.* Subject to Rules 23(3), 23.1(c), 23.2, and
 26 66 and any applicable federal statute, the plaintiff may dismiss an action without a court
 27 order by filing:

28

PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE PURSUANT TO FEDERAL RULE
 OF CIV. PROC. 41(a)(1)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(i) a notice of dismissal before the opposing party serves either
an answer or a motion for summary judgment.

Dated: December 3, 2012

ANGEL AT LAW, INC., APLC

By: /s/ Brian A. Angelini
Brian A. Angelini, Esq.
Attorney for Plaintiff, MIGUEL
DUENAS and ROSALINA DUENAS



1 **CERTIFICATE OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18
3 and not a party to the within action. My business address is 8484 Wilshire Blvd., Suite 220,
4 Beverly Hills, CA 90211.

5 On December 3, 2012 I served the foregoing document, described as **PLAINTIFF’S NOTICE**
6 **OF VOLUNTARY DISMISSAL WITH PREJUDICE PURSUANT TO FEDERAL**
7 **RULE OF CIV. PROC. 41(a)(1)** on each interested party in this action, as follows:

8 **SEE ATTACHMENT NO. “1” SERVICE LIST**

9 **BY MAIL.** I placed the original or a true copy of the foregoing document in a
10 sealed envelope addressed to each interested party as set forth above. I placed each such envelope,
11 with postage thereon fully prepaid, for collection and mailing at Angel at Law, Inc., APLC,
12 California. I am readily familiar with Angel at Law, Inc.’s practice for collection and processing of
13 correspondence for mailing with the United States Postal Service. Under that practice, the
14 correspondence would be deposited in the United States Postal Service on that same day in the
15 ordinary course of business. Via First Class U.S. Mail, postage fully pre-paid.

16 **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING**
17 **(NEF).** Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) (“LBR”), the
18 foregoing document will be served by the court via NEF and hyperlink to the document. On
19 **07/07/2012** I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and
20 determined that the following person(s) are on the Electronic Mail Notice List to receive NEF
21 transmission at the email address(es) indicated on the attached Service List.

22 Executed on December 3, 2012 at Los Angeles, California.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.

25 _____ /s/ *Leopoldo Mendoza* _____

26 Leopoldo Mendoza

