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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  
 PENSION TRUST FUND, et al.,

Case No.: C12-5346 JSC

**NOTICE OF VOLUNTARY DISMISSAL**

10 Plaintiffs,

11 v.

12 R. ZIMMER PAINTING &  
 13 WALLCOVERING, INC., a California  
 corporation; and ROBERT JOSEPH ZIMMER,  
 14 an individual,

15 Defendants.

16  
 17 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs BAY AREA  
 18 PAINTERS AND TAPERS TRUST FUND, et al., voluntarily dismiss, without prejudice, their  
 19 claim against Defendants R. ZIMMER PAINTING & WALLCOVERING, INC., a California  
 20 corporation, and ROBERT JOSEPH ZIMMER, an individual. Defendants have not moved for  
 21 summary judgment, and Plaintiffs have not previously filed or dismissed any similar action  
 22 against Defendants.

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

25 Executed this 30th day of January, 2013, at San Francisco, California.

26 SALTZMAN & JOHNSON  
 LAW CORPORATION

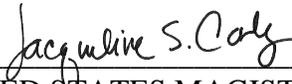
27 By: \_\_\_\_\_ /s/  
 Muriel B. Kaplan  
 Attorneys for Plaintiffs

1 IT IS SO ORDERED.

2 This case is dismissed without prejudice.

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4 Date: January 31, 2013

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE  
Jacqueline Scott Corley

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PROOF OF SERVICE:

I, the undersigned, declare:

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On **January 30, 2013**, I served the following document(s) on the parties to this action in the manner described below:

**NOTICE OF VOLUNTARY DISMISSAL**

XX **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses as specified below, in a sealed envelope fully prepared.

*To:*

<b>R. Zimmer Painting &amp; Wallcovering, Inc.</b>	<b>Robert Joseph Zimmer</b>
<b>2057 Buena Vista Avenue</b>	<b>2057 Buena Vista Avenue</b>
<b>Alameda, CA 94501</b>	<b>Alameda, CA 94501</b>

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 30th day of January, 2013, at San Francisco, California.

\_\_\_\_\_  
/s/  
Qui X. Lu