

1 Tanya E, Moore, Esq. SBN 206683  
 MOORE LAW FIRM, P.C.  
 2 332 North Second Street  
 San Jose, California 95112  
 3 Telephone (408) 298-2000  
 Facsimile (408) 298-6046  
 4  
 Attorneys for Plaintiff  
 5 Cecil Shaw

6  
 7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10

11 CECIL SHAW,  
 12 Plaintiff,  
 13 vs.  
 14 WESTMOOR VILLAGE, LLC, a California  
 limited liability company, et al.,  
 15  
 16 Defendants.

) No. 3:13-cv-02164-RS  
 )  
 ) **PLAINTIFF’S REQUEST FOR**  
 ) **VOLUNTARY DISMISSAL OF**  
 ) **DEFENDANTS MARCELLE DABBAS**  
 ) **AND HANY SELIM ONLY; [~~PROPOSED~~]**  
 ) **ORDER [Fed. R. Civ. P. 41(a)(2)]**  
 )  
 )  
 )  
 )

17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 PLAINTIFF’S REQUEST FOR VOLUNTARY DISMISSAL OF DEFENDANTS  
 MARCELLE DABBAS AND HANY SELIM ONLY; [~~PROPOSED~~] ORDER

1           **WHEREAS**, no cross-claim or counter-claim has been filed in this Action;

2           **WHEREAS**, Defendants Hany Selim, aka Selim Touring Experts, dba Liquor Tobacco  
3 & Gift; and Marcelle Dabbas, aka Marcelle Selim, aka Selim Touring Experts, dba Liquor  
4 Tobacco & Gift have not filed a responsive pleading to the operative complaint in this action  
5 nor a motion for summary judgment;

6           **WHEREAS**, Plaintiff, Cecil Shaw (“Plaintiff”), has fully and finally settled this matter  
7 as to Defendants, Hany Selim, aka Selim Touring Experts, dba Liquor Tobacco & Gift; and  
8 Marcelle Dabbas, aka Marcelle Selim, aka Selim Touring Experts, dba Liquor Tobacco & Gift;

9           **WHEREAS**, Plaintiff has requested that all parties who have appeared stipulate to the  
10 dismissal of Defendants under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) but despite  
11 follow-ups, not all defendants who have appeared have responded to the request; and

12           **WHEREAS**, Plaintiff also requested that counsel for Defendants stipulate to dismiss  
13 Defendants, but an agreement could not be reached between Plaintiff and Defendants regarding  
14 the appropriate language for the dismissal.

15           **NOW, THEREFORE**, Plaintiff hereby respectfully requests that pursuant to Federal  
16 Rule of Civil Procedure 41(a)(2), only Defendants Hany Selim, aka Selim Touring Experts, dba  
17 Liquor Tobacco & Gift; and Marcelle Dabbas, aka Marcelle Selim, aka Selim Touring Experts,  
18 dba Liquor Tobacco & Gift, be dismissed with prejudice from this action.

19

20 Dated: November 6, 2013

MOORE LAW FIRM, P.C.

21

/s/ Tanya E. Moore

22

Tanya E. Moore

23

Attorneys for Plaintiff, Cecil Shaw

24 ///

25 ///

26 ///

27 ///

28 ///

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

**ORDER**

Upon request of Plaintiff and good cause appearing,

**Only** defendants Hany Selim, aka Selim Touring Experts, dba Liquor Tobacco & Gift; and Marcelle Dabbas, aka Marcelle Selim, aka Selim Touring Experts, dba Liquor Tobacco & Gift, are hereby dismissed from this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).

**IT IS SO ORDERED.**

Dated: 11/13/13

  
\_\_\_\_\_  
United States District Judge