

1 ERSKINE & TULLEY  
2 A PROFESSIONAL CORPORATION  
3 MICHAEL J. CARROLL (St. Bar #50246)  
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5 San Francisco, CA 94104  
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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE AUTOMOTIVE) NO. C 08 4305 PJH  
11 INDUSTRIES WELFARE FUND, JIM BENO, )  
12 TRUSTEE, )

13 Plaintiffs, )

14 vs. )

15 NOTICE OF  
16 VOLUNTARY DISMISSAL

17 EDWARD MAYO, an individual doing )  
18 business as MAYO RADIATOR COMPANY )  
19 and also known as MAYO RADIATOR )  
20 SERVICE )

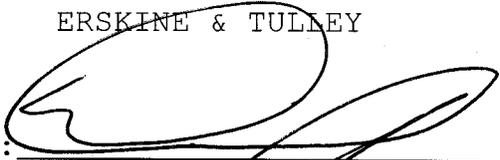
21 Defendant. )

22 Notice is hereby given that plaintiff dismisses the above  
23 entitled action without prejudice pursuant to Federal Rule of Civil  
24 Procedure 41, and all dates relating to this case should be taken  
25 off the Court's calendar including the hearing on a Case Management  
26 Conference set for December 18, 2008 at 2:30 a.m. in Courtroom No.  
27 3, 17<sup>th</sup> Floor, 450 Golden Gate Avenue, San Francisco, CA.

28 Dated: October 21, 2008

ERSKINE & TULLEY

10/22/08

By:   
Michael J. Carroll  
Attorneys for Plaintiff



NOTICE OF VOLUNTARY DISMISSAL

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PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On October 21, 2008 I served the within NOTICE OF VOLUNTARY DISMISSAL on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Edward Mayo  
Mayo Radiator Company  
1190 19<sup>th</sup> Street  
Oakland, CA 94607

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on October 21, 2008 at San Francisco, California.

  
Sharon Eastman