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ALTEMUS & WAGNER

ATTORNEYS AT LAW

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Stewart C. Altemus (State Bar #98746)

Attorney for Plaintiff LONNELL SMITH

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LONNELL SMITH,

Plaintiff,

Case No. C 09-01057-PJH

vs.

**REQUEST FOR DISMISSAL  
AND ORDER THEREON**

DATEX-OHMEDA, INC., et al,

Defendants.

TO THE CLERK:

Please dismiss this action as follows:

**Without prejudice** as to Defendants DATEX-OHMEDA, INC. (erroneously sued herein as GE Healthcare, Inc.) and ABBOTT LABORATORIES.

Dated: June 15, 2009.

ALTEMUS & WAGNER

/s/ Stewart C. Altemus

Stewart C. Altemus

Attorney for Plaintiff

ORDER

Pursuant to the Request for Dismissal of Plaintiff, LONNELL SMITH, Defendants DATEX-OHMEDA, INC. (sued herein as GE Healthcare, Inc.) and ABBOTT LABORATORIES are dismissed **without prejudice**.

Dated: 06/16/09

Clerk:

