

1 Muriel B. Kaplan, Esq. (SBN 124607)
 Michele R. Stafford, Esq. (SBN 172509)
 2 SALTZMAN & JOHNSON LAW CORPORATION
 44 Montgomery Street, Suite 2110
 3 San Francisco, CA 94104
 (415) 882-7900
 4 (415) 882-9287 – Facsimile
mkaplan@sjlawcorp.com
 5 mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 DISTRICT COUNCIL 16 NORTHERN
 CALIFORNIA HEALTH AND WELFARE TRUST
 11 FUND, et al.,

Case No.: C10-2034 PJH

**NOTICE OF VOLUNTARY
DISMISSAL AND ORDER**

12 Plaintiffs,

13 v.

14 HUTCHCRAFT FLOORING, INC., a California
 Corporation,

15 Defendant.

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18 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs DISTRICT
 19 COUNCIL 16 NORTHERN CALIFORNIA HEALTH AND WELFARE TRUST FUND, et al.,
 20 voluntarily dismiss, without prejudice, their claim against Defendant HUTCHCRAFT
 21 FLOORING, INC. Defendant has neither served an answer nor moved for summary judgment,
 22 and Plaintiffs have not previously filed or dismissed any similar action against Defendant.

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

3 Executed this 4th day of August, 2010, at San Francisco, California.

4 SALTZMAN & JOHNSON
5 LAW CORPORATION

6 By: _____ /s/
7 Muriel B. Kaplan
8 Attorneys for Plaintiffs

8 IT IS SO ORDERED.

9 This case is dismissed without prejudice.

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11 Date: 8/9/10



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PROOF OF SERVICE

I, the undersigned, declare:

1. I am a citizen of the United States and am employed in the County of San Francisco, State of California. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

2. I am over the age of eighteen and not a party to this action.

3. On **August 5, 2010**, I served the following document(s):

NOTICE OF VOLUNTARY DISMISSAL

on the interested parties in said action by enclosing a true and exact copy of each document in a sealed envelope and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business’s practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelope was addressed and mailed as follows:

Andrew P. Hutchcraft	Andrew P. Hutchcraft
Hutchcraft Flooring, Inc.	Hutchcraft Flooring, Inc
4034 Wayside Lane, Suite F	6703 Sundown Court
Carmichael, California 95608	Carmichael, California 95608

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on **August 5, 2010**, at San Francisco, California.

_____/s/
Elise Thurman
Paralegal