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6 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS
 PENSION TRUST FUND, et al.

Case No.: C12-1379 YGR

11 Plaintiffs,

**NOTICE OF VOLUNTARY DISMISSAL
 AND ORDER**

12 v.

13 DALZELL CORPORATION, a California
 14 corporation; and BRUCE LAWRENCE
 HAMMON, an individual,

15 Defendants.

18 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs BAY AREA
 19 PAINTERS AND TAPERS TRUST FUND, et al., voluntarily dismiss, without prejudice, their
 20 claim against Defendants DALZELL CORPORATION, a California corporation, and BRUCE
 21 LAWRENCE HAMMON, an individual. Defendants have not moved for summary judgment, and
 22 Plaintiffs have not previously filed or dismissed any similar action 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 19th day of February, 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: February 26, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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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 **February 19, 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:

<p>Dalzell Corporation c/o Bruce L. Hammon Agent for Service of Process 2434 Chestnut Street Oakland, California 94607</p>	<p>Bruce Lawrence Hammon 2434 Chestnut Street Oakland, California 94607</p>
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I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 19th day of February, 2013, at San Francisco, California.

/s/
Qui X. Lu