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6 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 F. G. CROSTHWAITE, et al., as Trustees of
 the OPERATING ENGINEERS’ HEALTH
 11 AND WELFARE TRUST FUND, et al.

Case No.: C12-5294 YGR

**NOTICE OF VOLUNTARY DISMISSAL;
AND ORDER RE SAME**

12 Plaintiffs,

13 v.

14 SPOSETO ENGINEERING, INC., a California
 corporation,

15 Defendant.

18 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs OPERATING
 19 ENGINEERS’ HEALTH & WELFARE TRUST FUND, et al., voluntarily dismiss, without
 20 prejudice, their claim against Defendant SPOSETO ENGINEERING, INC., a California
 21 corporation. Defendant has neither served an answer nor moved for summary judgment, and
 22 Plaintiffs have not previously filed or dismissed any similar action against Defendant.

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 8th day of January, 2013, at San Francisco, California.

26 SALTZMAN & JOHNSON
 LAW CORPORATION
 27 By: _____ /s/
 Michele R. Stafford
 Attorneys for Plaintiffs

1 IT IS SO ORDERED.

2 This case is dismissed without prejudice.

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4 Date: January 15, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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