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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 THE BOARD OF TRUSTEES, in their
 capacities as Trustees of the LABORERS
 13 HEALTH AND WELFARE TRUST FUND
 FOR NORTHERN CALIFORNIA;
 14 LABORERS VACATION-HOLIDAY TRUST
 FUND FOR NORTHERN CALIFORNIA;
 15 LABORERS PENSION TRUST FUND FOR
 NORTHERN CALIFORNIA; and LABORERS
 16 TRAINING AND RETRAINING TRUST
 FUND FOR NORTHERN CALIFORNIA,

18 Plaintiffs,

19 v.

20 PREMIER BUILDERS INC., a California
 21 Corporation,

22 Defendant.

No. 4:16-cv-04925-DMR

**NOTICE OF DISMISSAL WITHOUT
 PREJUDICE; REQUEST TO VACATE
 CASE MANAGEMENT
 CONFERENCE; [~~PROPOSED~~] ORDER**

23 NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1),
 24 Plaintiffs voluntarily dismiss the above-captioned action without prejudice. Said voluntary
 25 dismissal without an order of the Court is appropriate, since Defendant has not filed an answer or
 26 responsive pleading in this matter.

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1 A Case Management Conference has been scheduled for November 30, 2016 at 1:30 p.m.
2 With this Request for Dismissal, Plaintiffs also request that said Case Management Conference be
3 vacated.

4 Dated: October 27, 2016

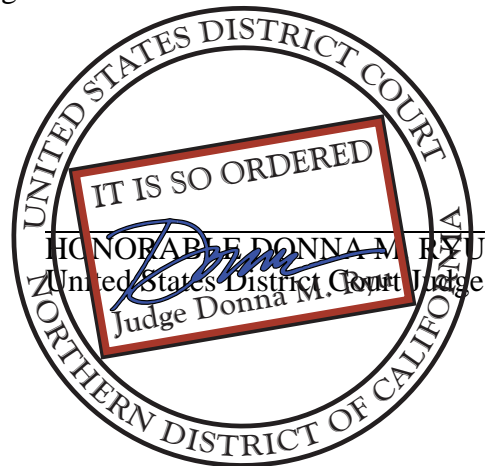
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6 By: /s/ Concepción E. Lozano-Batista
CONCEPCIÓN E. LOZANO-BATISTA
Attorneys for Plaintiffs
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9 **[PROPOSED] ORDER**

10 The parties have resolved this matter and requested that this Court maintain jurisdiction
11 over the case. IT IS HEREBY ORDERED that this case be dismissed pursuant to the foregoing
12 Order without prejudice. The Case Management Conference set for November 30, 2016 is
13 hereby vacated.
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16 Dated: 10/31/16



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