LAWRENCE P. RAMIREZ, (State Bar No. 141550) 1 THE LITIGATION LAW GROUP 111 North Market Street, Suite 1010 IT IS SO ORDERED 2 San Jose, CA 95113 Telephone: (408) 971-1119 S MODIFIEI 3 Facsimile: (408) 971-1625 4 Attorney for Plaintiffs Judge James Ware Rogelio Montoya and Alicia Montoya 5 6 UNITED STATES DISTRICT COURT ISTRI7 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION 8 9 ROGELIO MONTOYA, ALICIA MONTOYA, Case No.: CV09-0641 JW 10 as individuals, NOTICE OF VOLUNTARY DISMISSAL 11 Plaintiff, Judge: Honorable James Ware 12 vs. Complaint Filed: January 2, 2009 13 Trial Date: COUNTRYWIDE BANK, FSB, a United States 14 Bank, COUNTRYWIDE FINANCIAL CORPORATION, a Delaware Corporation, 15 COUNTRYWIDE HOME LOANS, INC., a 16 New York Corporation, COUNTRYWIDE HOME LOANS SERVICING, L.P., a Texas 17 Limited Partnership, BANK OF AMERICA CORPORATION, a Delaware Corporation, 18 MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC., a Delaware 19 Corporation, RECONTRUST COMPANY, as trustee, and DOES 1 through 50, inclusive, 20 **Defendants** 21 22 23 24 25

1	TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
2	NORTHERN DISTRICT OF CALIFORNIA AND DEFENDANTS AND THEIR
3	
4	ATTORNEYS OF RECORD:
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6	Pursuant to Fed. R. Civ. P. 41(a)(1)(i), Plaintiffs ROGELIO MONTOYA and ALICIA
7	MONTOYA, by and through their attorneys, voluntarily dismiss the above captioned action
8	without prejudice, each party to bear its own fees and costs.
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11	Dated this September 15, 2009
12	Respectfully Submitted,
13	Respection 5 domitted,
14	
15	/s/
16	Lawrence P. Ramirez
17	
18	*** ORDER ***
19	In light of this dismissal, Defendant's Motion to Dismiss (Docket Item No. 57) is
20	DENIED as moot.
21	The Clerk shall close this file.
22	Dated: October 15, 2009
23	JAMES WARE United States District Court
24	Since States District Court
25	