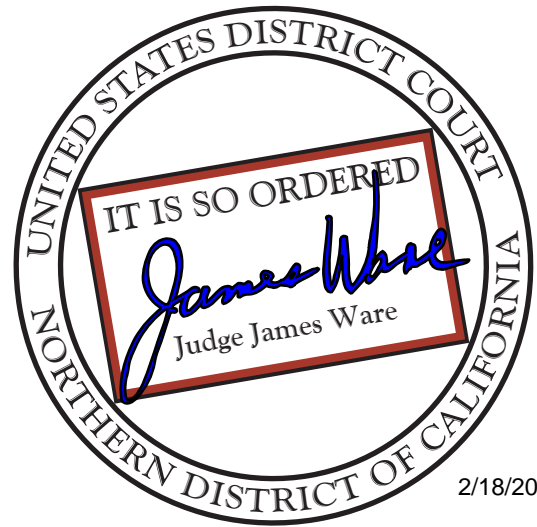


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2/18/2010

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN JOSE DIVISION**

14 Case No. C09-04047 JW RS

15 JUAN CARLOS CUELLAR; JOSE)
 16 ALBERTO GARCIA; JORGE ALEGRIA;)
 17 JORGE CALDERON; and ISMAEL)
 18 CALDERON,

19 Plaintiffs,

20 v.

21 ANTHONY FIDEL ALAMILLO; FIDEL)
 22 CABRAL ALAMILLO; CARRIE ANN)
 23 ALAMILLO; C&F ALAMILLO STEEL, A)
 24 PARTNERSHIP; AMERICAN)
 25 CONTRACTORS INDEMNITY COMPANY;)
 26 TRAVELERS CASUALTY AND SURETY)
 27 COMPANY OF AMERICA; SAFECO)
 28 INSURANCE COMPANY OF AMERICA;)
 FIDELITY AND DEPOSIT COMPANY OF)
 MARYLAND; JEFF LUCHETTI)
 CONSTRUCTION, INC.;)
 GONSALVES & STRONCK)
 CONSTRUCTION COMPANY, INC.; PAGE)
 CONSTRUCTION COMPANY;)
 EVERGREEN SCHOOL DISTRICT;)
 MENLO PARK CITY SCHOOL DISTRICT;)
 CITY OF SANTA CLARA ,)

Defendants.

**NOTICE OF DISMISSAL WITH
 PREJUDICE AS TO GONSALVES &
 STRONCK CONSTRUCTION
 COMPANY, INC.; SAFECO
 INSURANCE COMPANY OF
 AMERICA; AND MENLO PARK CITY
 SCHOOL DISTRICT**

1 NOTICE IS HEREBY GIVEN THAT PLAINTIFFS:

2 (1) JUAN CARLOS CUELLAR;

3 (2) JOSE ALBERTO GARCIA;

4 (3) JORGE ALEGRIA;

5 (4) JORGE CALDERON; and

6 (5) ISMAEL CALDERON

7 hereby dismiss defendants:

8 (1) GONSALVES & STRONCK CONSTRUCTION COMPANY, INC.;

9 (2) SAFECO INSURANCE COMPANY OF AMERICA; AND

10 (3) MENLO PARK CITY SCHOOL DISTRICT

11 with prejudice pursuant to FRCP 41(a)(2).

12 Dated: February 16, 2010

13 Respectfully submitted,

14 By: //s// Tomas E. Margain

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16 TOMAS MARGAIN
17 Attorneys for Plaintiffs

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