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8 Attorney for Plaintiffs

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12 JENNIFER AND TYSON BILLINGSLEY,)
 13 individuals, SUSAN KOEPPBAKER, an)
 14 individual, on behalf of themselves and)
 15 others similarly situated)

16 Plaintiffs,)

17 vs.)

18 J.P. MORGAN CHASE, N. A., a New)
 19 York corporation, WASHINGTON)
 20 MUTUAL BANK, a former Washington)
 21 corporation,)

22 and DOES, 1-10)

23 Defendants)

Date: December 17, 2010

Case No. 5:10 CV 02516 JF

**PLAINTIFFS' NOTICE OF VOLUNTARY
 DISMISSAL PURSUANT TO FEDERAL
 RULE OF CIVIL PROCEDURE 41(a)(1)**

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1 TO ALL PARTIES AND COUNSEL OF RECORD:

2 COMES NOW, Plaintiffs, through undersigned counsel, in light of the good-faith efforts on
3 behalf of Defendants to adjudicate all claims outside of court, and in accordance to Fed. R. Civ. P.
4 41(a)(1), Plaintiffs voluntarily dismiss the above-captioned action against all Defendants without
5 prejudice.


6 Dated: December 17, 2010

/s/ Jessica Rauff
7 Jessica E. Rauff
8 Attorney for Jennifer and Tyson Billingsley
9 Susan Koepfbaker
10 and a class of others similarly situated

11 **ORDER**

12 IT IS SO ORDERED

13 DATED: 1/4/11

14 
15 _____
16 The Hon. Jeremy Fogel
United States District Court

Certificate of Service

I am employed in the County of Santa Clara, State of California. I am over the age of 18. My business address is 1045 S. 12th Street, San Jose, California, 95112.

On **December 17, 2010**, I served the following documents as follows:

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

To:

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Attorneys for Defendant JPMORGAN CHASE BANK, N.A.

BY (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). “A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se.”

I declare under the penalty of perjury that I am a member of the bar of this court and the foregoing is true and correct.

Date: December 17, 2010

/s/ Jessica E. Rauff