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Attorneys for MARK HEIM

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MARK HEIM

Plaintiff,

vs.

THE ESTATE OF DONALD T. HEIM,
 MAXINE HEIM, PROJECT ONE a California
 Limited Partnership; WILLIAM BURGSTROM;
 ESTATE OF ERNIE WEBB; CITY OF
 WATSONVILLE, MULTIMATIC DRY
 CLEANING MACHINE CORPORATION,
 MULTIMATIC CORPORATION, as successor in
 interest to Multimatic Dry Cleaning Machine
 Corporation; MULTIMATIC LLC, a New Jersey
 limited liability company, as successor in interest
 to Multimatic Corporation and Multimatic Dry
 Cleaning Machine Corporation, AND THE
 KIRRBURG CORPORATION, a New Jersey
 Corporation, formerly known as Multimatic
 Corporation and AMERICAN LAUNDRY
 MACHINERY Inc and DOES 1 THROUGH 20;

Defendants.

AND RELATED COUNTER AND CROSS
 CLAIMS

Case No.: 5:10-CV-03816 EJD

**PLAINTIFF MARK'S REQUEST FOR
 VOLUNTARY DISMISSAL WITHOUT
 PREJUDICE OF THIRD PARTY
 DEFENDANT JOANN WEBB AS
 REPRESENTATIVE OF THE ESTATE OF
 ERNIE WEBB ONLY PURSUANT TO
 FEDERAL RULE OF CIVIL PROCEDURE
 41 (a)(2)
 [PROPOSED] ORDER**

1 Plaintiff, MARK HEIM, requests that Third Party Defendant JOANN WEBB as
2 representative of THE ESTATE OF ERNIE WEBB only is dismissed without prejudice from
3 Plaintiff MARK HEIM's First Amended Complaint pursuant to Federal Rule of Civil Procedure
4 41(a) (2).

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6 Dated: September 16, 2011

/s/ SOSAN AKBAR

MARTIN DEUTSCH

SOSAN AKBAR

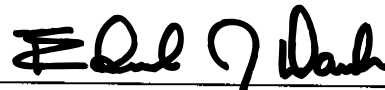
Attorneys for Plaintiff Mark Heim

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10 **ORDER**

11 **IT IS HEREBY ORDERED:**

12 That Third Party Defendant JOANN WEBB as representative of THE ESTATE OF ERNIE
13 WEBB only is dismissed without prejudice from Plaintiff MARK HEIM'S First Amended
14 Complaint pursuant to Federal Rule of Civil Procedure 41 (a)(2).
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18 DATED: September 19, 2011



19 HON. EDWARD J. DAVILA
20 UNITED STATES DISTRICT JUDGE
21 NORTHERN DISTRICT OF CALIFORNIA
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