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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

EVERETT BURNS, ET AL., ) Case No.: 11-CV-01621-LHK  
Plaintiffs, ) ORDER DISMISSING CASE WITHOUT  
v. ) PREJUDICE  
WASHINGTON MUTUAL, ET AL., )  
Defendants. )

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Plaintiff voluntarily dismissed this action without prejudice against all Defendants on November 15, 2011. Defendants have not yet filed an answer or a motion for summary judgment. Accordingly, this matter is DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

**IT IS SO ORDERED.** The Clerk shall close the file.

Dated: December 7, 2011

  
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LUCY H. KOH  
United States District Judge