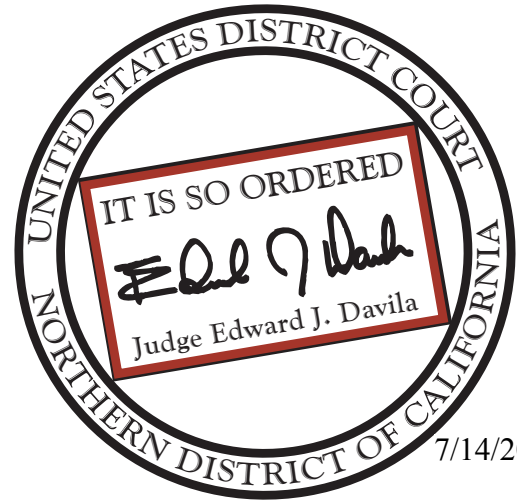


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7/14/2011

9 Attorneys for Plaintiff APEX  
 10 ADVANCE HOLDINGS LIMITED

11 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA  
 12 (San Jose Division)

13 APEX ADVANCE HOLDINGS LIMITED,  
 14 a corporation,

15 Plaintiff,

16 v.

17 VLADIMIR RIVKIN, EFIM RIVKIN, IGOR  
 18 JONATAN SCHMIDT, REGINA  
 19 SCHMIDT, AND ALL PERSONS  
 20 UNKNOWN CLAIMING ANY LEGAL OR  
 21 EQUITABLE RIGHT, TITLE, ESTATE,  
 22 LIEN, OR INTEREST IN THE  
 23 PROPERTY DESCRIBED IN THE  
 24 COMPLAINT ADVERSE TO  
 25 PLAINTIFF'S TITLE, OR ANY CLOUD  
 26 ON PLAINTIFF'S TITLE,

27 Defendants.

Case No. CV-11-02051 EJD

**NOTICE OF VOLUNTARY DISMISSAL  
 WITHOUT PREJUDICE**

[Fed. R. Civ. Pro. 41(a)]

28 TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that plaintiff APEX ADVANCE HOLDINGS LIMITED,  
 a corporation, pursuant to Fed. R. Civ. Pro. 41(a), and without stipulating to or accepting  
 defendants' challenges to subject-matter jurisdiction in this case, hereby voluntarily dismiss this  
 case without prejudice. The Clerk shall close this file.

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Dated: July 13, 2011

DINAPOLI & SIBLEY

By: \_\_\_\_\_ /s/ \_\_\_\_\_

JOHN DINAPOLI, Attorneys  
for Plaintiff APEX ADVANCE  
HOLDINGS LIMITED, a  
corporation

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**CERTIFICATE OF SERVICE**

I am a citizen of the United States. My business address is the law offices DiNapoli & Sibley, Ten Almaden Boulevard, Suite 1250, San Jose, California 95113-2271, and my phone number is (408) 999-0900. I am employed in the County of Santa Clara where this service occurred. I am over the age of 18 years, and not a party to the within cause. I am readily familiar with the normal business practice of the law offices of DiNapoli & Sibley for the collection and processing of correspondence for mailing with the U. S. Postal Service, and that practice is that correspondence is deposited with the U. S. Postal Service the same day as the day of collection in the ordinary course of business.

On the date set forth below, following the ordinary business practice, I served the following document(s):

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

by enclosing a true copy thereof in a sealed envelope and placing it for collection and service that same day in the ordinary course of business.

  X   (By e-mail) I caused such document(s) to be served by e-mail to defendants' counsel Carlos G. Martinez and R. Jeremie Ginelli at the following addresses: [cmartin@isonlaw.com](mailto:cmartin@isonlaw.com) and [rjg@carlsonlawgroup.com](mailto:rjg@carlsonlawgroup.com).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that I executed this Proof of Service in the City of San Jose, California, on July 13, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

JOHN DINAPOLI