

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ANH QUACH,

CASE NO. 5:12-cv-05037 EJD

Plaintiff(s),

**ORDER DISMISSING CASE**

v.

BANK OF AMERICA, NATIONAL  
ASSOCIATION, et. al.,

[Docket Item No(s). 10]

Defendant(s).

On February 8, 2013, Plaintiff filed a Notice of Voluntary Dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). See Docket Item No. 10. Accordingly, this case is DISMISSED.

However, because Plaintiff dismissed another federal action “based on or including the same claim,”<sup>1</sup> this voluntary dismissal “operates as an adjudication on the merits” pursuant to Federal Rule of Civil Procedure 41(a)(1)(B).

The clerk shall close this file.

**IT IS SO ORDERED.**

Dated: February 11, 2013

  
EDWARD J. DAVILA  
United States District Judge

<sup>1</sup> The previously-dismissed action is Quach v. Bank of America, National Association, Case Number 5:12-cv-04611 PSG. Plaintiff voluntarily dismissed that action on September 24, 2012.