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\*E-Filed: October 3, 2014\*

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA for the  
Use and Benefit of HAROLD E. NUTTER &  
SON, INC.,

Use-Plaintiff,

v.

K.O.O. CONSTRUCTION, INC. and  
TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA,

Defendants.

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No. C13-04853 HRL

**ORDER DISMISSING ALL CLAIMS  
AND CAUSES OF ACTION AGAINST  
DEFENDANTS, WITHOUT  
PREJUDICE**

[Re: Docket No. 28]

Use-Plaintiff Harold E. Nutter & Son, Inc. has filed a dismissal of all causes of action against Defendants K.O.O. Construction, Inc. and Travelers Casualty and Surety Company of America, without prejudice, each party to bear its own costs and attorneys' fees. Dkt. No. 28. Accordingly, Use-Plaintiff's causes of action against Defendants K.O.O. Construction, Inc. and Travelers Casualty and Surety Company of America are hereby dismissed without prejudice. Each party shall bear its own costs and attorneys' fees. The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: October 3, 2014



HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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