

1 ASIA BIRD
4373 N. Pheasant Ridge Trail
2 Lehi, Utah 84043-4977
Telephone: (831) 566-1208

3 Plaintiff Pro Se
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6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9

10 ASIA BIRD, an individual,

11 Plaintiff,

12 v.

13 REAL TIME RESOLUTIONS, INC., a Texas
Corporation; and DOES 1 through 100,
14 inclusive,

15 Defendants.
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CIVIL NO.: 5:15-CV-04927 MC EJD

ORDER GRANTING

PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL

19 TO THE HONORABLE COURT, ALL PARTIES HEREIN AND THEIR RESPECTIVE COUNSEL
20 OF RECORD;

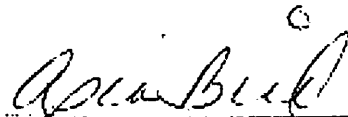
21
22 I am the Plaintiff in this matter and I voluntarily dismiss this lawsuit pursuant to *Federal Rule*
23 *of Civil Procedure 41(a)(1)(A)(i)*. The Federal Rules of Civil Procedure permit a Plaintiff to dismiss
24 an action without a court order by filing "a notice of dismissal before the opposing party serves
25 either an answer or a motion for summary judgment..." *Federal Rule of Civil Procedure*
26 *41(a)(1)(A)(i)*.

27 The Court has permitted the Plaintiff to file an amended complaint by June 3, 2016 and
28 Defendant REAL TIME RESOLUTIONS, INC. has not filed a motion for summary judgment or an

1 answer to Plaintiff's amended complaint. Plaintiff wishes to dismiss the case at issue against all
2 parties named and unnamed. Such dismissal shall be without prejudice, with each side to bear its own
3 costs and fees.
4

5 June 3, 2016

Respectfully submitted,

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8 ASIA BIRD
9 PLAINTIFF *PRO SE*
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1 Case Name: *Bird v. Real Time Resolutions, Inc., et al.*
2 Case Number: 5:15-CV-04927 NC

3 PROOF OF SERVICE
4 COUNTY OF SANTA CRUZ

5 I, *April Bell*, Declarant, am over the age of eighteen (18)
6 years and not a party to the within action. My address is

7 On June 3, 2016, I served the following document(s) described as "PLAINTIFF'S NOTICE OF
8 VOLUNTARY DISMISSAL" on the interested parties as shown on the attached "Service List"
9 in the manner indicated below:

10 **U.S. MAIL:** I enclosed the documents in a sealed envelope or package addressed to the
11 person listed in the "Service List" below and placed the envelope for collection and mailing,
12 following our ordinary business practices. I am readily familiar with this business's practice
13 for collective and processing correspondence for mailing. On the same day that
14 correspondence is placed for collection and mailing, it is deposited in the ordinary course of
15 business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.

16 **ELECTRONIC SERVICE (Email):** Based on a court order or an agreement of the parties
17 to accept electronic service, I transmitted electronically, or caused to be transmitted
18 electronically, the document(s) set forth herein to the addressee(s) at the e-mail address(es)
19 set forth herein.

20 **FACSIMILE:** Based on an agreement of the parties to accept service by facsimile
21 transmission, I caused the within document(s) to be transmitted by telephonic facsimile to the
22 addressee(s) described herein. No error was reported by the machine that I used. A copy of
23 the recorded facsimile transmission, which I printed out, is attached.

24 **PERSONAL SERVICE:** I placed true and correct copies of the above-described documents
25 enclosed in a sealed envelope addressed as described herein and caused them to be personally
26 delivered to the interested parties at the addresses described herein.

27 **OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided
28 by an overnight delivery carrier and addressed to the interested parties shown on the "Service
List." I placed the envelope or package for collection and overnight delivery at an office or a
regularly utilized drop box of the overnight delivery carrier.

I declare under penalty of perjury under the laws of the state of California that the
foregoing is true and correct. Executed on June 3, 2016, at Santa Cruz, California.

April Bell
Declarant

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SERVICE LIST

Von Ryan Reyes, Esq.
Nathaniel Luccy, Esq.
ERICKSEN ARBUTHNOT
152 North Third Street, Suite 700
San Jose, CA 95112

Attorneys for Real Time Resolutions, Inc.